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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

**[Docket No. 170817779-8161-02]**

**RIN 0648-XF636**

**Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2018 and 2019 Harvest Specifications for Groundfish**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; closures.

**SUMMARY:** NMFS announces final 2018 and 2019 harvest specifications, apportionments, and prohibited species catch allowances for the groundfish fishery of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to establish harvest limits for groundfish during the 2018 and 2019 fishing years, and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP). The intended effect of this action is to conserve and manage the groundfish resources in the BSAI in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** Effective from 1200 hrs, Alaska local time (A.l.t.), [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*], through 2400 hrs, A.l.t., December 31, 2019.

**ADDRESSES:** Electronic copies of the Alaska Groundfish Harvest Specifications Final Environmental Impact Statement (EIS), Record of Decision (ROD), Supplementary Information Report (SIR) to the EIS, and the Initial Regulatory Flexibility Analysis (IRFA) prepared for this action are available from <http://alaskafisheries.noaa.gov>. The final 2017 Stock Assessment and Fishery Evaluation (SAFE) report for the groundfish resources of the BSAI, dated November 2017, as well as the SAFE reports for previous years, are available from the North Pacific Fishery Management Council (Council) at 605 West 4th Avenue, Suite 306, Anchorage, AK, 99510-2252, phone 907-271-2809, or from the Council's Web site at <http://www.npfmc.org/>.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** Federal regulations at 50 CFR part 679 implement the FMP and govern the groundfish fisheries in the BSAI. The Council prepared the FMP, and NMFS approved it, under the Magnuson-Stevens Act. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

The FMP and its implementing regulations require NMFS, after consultation with the Council, to specify annually the total allowable catch (TAC) for each target species category. The sum of all TAC for all groundfish species in the BSAI must be within the optimum yield (OY) range of 1.4 million to 2.0 million metric tons (mt) (see § 679.20(a)(1)(i)(A)). This final rule specifies the TAC at 2.0 million mt for both 2018 and 2019. NMFS also must specify apportionments of TAC, prohibited species catch (PSC)

allowances, and prohibited species quota (PSQ) reserves established by § 679.21; seasonal allowances of pollock, Pacific cod, and Atka mackerel TAC; American Fisheries Act allocations; Amendment 80 allocations; Community Development Quota (CDQ) reserve amounts established by § 679.20(b)(1)(ii); and acceptable biological catch (ABC) surpluses and reserves for CDQ groups and the Amendment 80 cooperative for flathead sole, rock sole, and yellowfin sole. The final harvest specifications set forth in Tables 1 through 25 of this action satisfy these requirements.

Section 679.20(c)(3)(i) further requires NMFS to consider public comment on the proposed harvest specifications and to publish final harvest specifications in the **Federal Register**. The proposed 2018 and 2019 harvest specifications for the groundfish fishery of the BSAI were published in the **Federal Register** on December 8, 2017 (82 FR 57906). Comments were invited and accepted through January 8, 2018. NMFS received no substantive comments on the proposed harvest specifications. NMFS consulted with the Council on the final 2018 and 2019 harvest specifications during the December 2017 Council meeting in Anchorage, AK. After considering public comments, as well as biological and economic data that were available at the Council's December meeting, in this final rule NMFS implements the final 2018 and 2019 harvest specifications as recommended by the Council.

### **ABC and TAC Harvest Specifications**

The final ABC levels for Alaska groundfish are based on the best available biological and socioeconomic information, including projected biomass trends, information on assumed distribution of stock biomass, and revised technical methods used to calculate stock biomass. In general, the development of ABCs and overfishing

levels (OFLs) involves sophisticated statistical analyses of fish populations. The FMP specifies a series of six tiers to define OFL and ABC amounts based on the level of reliable information available to fishery scientists. Tier 1 represents the highest level of information quality available, while Tier 6 represents the lowest.

In December 2017, the Council, its Scientific and Statistical Committee (SSC), and its Advisory Panel (AP) reviewed current biological and harvest information about the condition of the BSAI groundfish stocks. The Council's BSAI Groundfish Plan Team (Plan Team) compiled and presented this information in the final 2017 SAFE report for the BSAI groundfish fisheries, dated November 2017 (see **ADDRESSES**). The SAFE report contains a review of the latest scientific analyses and estimates of each species' biomass and other biological parameters, as well as summaries of the available information on the BSAI ecosystem and the economic condition of groundfish fisheries off Alaska. NMFS notified the public of the comment period for these harvest specifications— and of the publication of the 2017 SAFE report—in the notice of proposed harvest specifications. From the data and analyses in the SAFE report, the Plan Team recommended an OFL and ABC for each species or species group at the November 2017 Plan Team meeting.

In December 2017, the SSC, AP, and Council reviewed the Plan Team's recommendations. The final TAC recommendations were based on the ABCs as adjusted for other biological and socioeconomic considerations, including maintaining the sum of all the TACs within the required OY range of 1.4 million to 2.0 million mt. As required by annual catch limit rules for all fisheries (74 FR 3178, January 16, 2009), none of the Council's recommended TACs for 2018 or 2019 exceed the final 2018 or 2019 ABCs for

any species or species group. NMFS finds that the Council's recommended OFLs, ABCs, and TACs are consistent with the preferred harvest strategy and the biological condition of groundfish stocks as described in the 2017 SAFE report that was approved by the Council. Therefore, this final rule provides notice that the Secretary of Commerce (Secretary) approves the final 2018 and 2019 harvest specifications as recommended by the Council.

The 2018 harvest specifications set in this final action will supersede the 2018 harvest specifications previously set in the final 2017 and 2018 harvest specifications (82 FR 11826, February 27, 2017). The 2019 harvest specifications herein will be superseded in early 2019 when the final 2019 and 2020 harvest specifications are published. Pursuant to this final action, the 2018 harvest specifications therefore will apply for the remainder of the current year (2018), while the 2019 harvest specifications are projected only for the following year (2019) and will be superseded in early 2019 by the final 2019 and 2020 harvest specifications. Because this final action (published in early 2018) will be superseded in early 2019 by the publication of the final 2019 and 2020 harvest specifications, it is projected that this final action will implement the harvest specifications for the BSAI for approximately one year.

#### **Other Actions Affecting the 2018 and 2019 Harvest Specifications**

##### *Amendment 117: Reclassify Squid as an Ecosystem Species*

In June 2017, the Council recommended for Secretarial review Amendment 117 to the FMP. Amendment 117 would reclassify squid in the FMP as an "Ecosystem Component Species," which is a category of non-target species that are not in need of conservation and management. Currently, NMFS annually sets an OFL, ABC, and TAC

for squid in the BSAI groundfish harvest specifications. Under Amendment 117, OFL, ABC, and TAC specifications would no longer be required. Proposed regulations to implement Amendment 117 would prohibit directed fishing for squid, require recordkeeping and reporting to monitor and report catch of squid species annually, and establish a squid maximum retainable amount when directed fishing for groundfish species at 20 percent to discourage retention, while allowing flexibility to prosecute groundfish fisheries. Further details will be available on publication of the proposed rule for Amendment 117. If Amendment 117 and its implementing regulations are approved by the Secretary, Amendment 117 and its implementing regulations are anticipated to be effective by 2019. Until Amendment 117 is effective, NMFS will continue to publish OFLs, ABCs, and TACs for squid in the BSAI groundfish harvest specifications.

#### *State of Alaska Guideline Harvest Levels*

The Alaska Board of Fisheries (BOF), a regulatory body for the Alaska Department of Fish and Game, established a guideline harvest level (GHL) in State of Alaska (State) waters between 164 and 167 degrees west longitude in the Bering Sea subarea (BS) equal to 6.4 percent of the Pacific cod ABC for the BS. The Council recommended that the final 2018 and 2019 Pacific cod TACs accommodate the State's GHLs for Pacific cod in State waters in the BS. The Council and its Plan Team, SSC, and AP recommended that the sum of all State and Federal water Pacific cod removals from the BS not exceed the final ABC recommendations of 201,000 mt for 2018 and 170,000 mt for 2019. Accordingly, the Council recommended that the final 2018 and 2019 Pacific cod TACs in the BS account for State GHLs, and NMFS sets the final BS TAC at 6.4 percent less than the Pacific cod BS ABC.

For 2018 and 2019, the BOF established a GHL in State waters in the Aleutian Islands subarea (AI) equal to 27 percent of the Pacific cod ABC for the AI. The Council recommended that the final 2018 and 2019 Pacific cod TACs accommodate the State's GHLs for Pacific cod in State waters in the AI. The Council and its Plan Team, SSC, and AP recommended that the sum of all State and Federal water Pacific cod removals from the AI not exceed the final ABC recommendations of 21,500 mt. Accordingly, the Council recommended that the final 2018 and 2019 Pacific cod TACs in the AI account for State GHLs, and in this final rule NMFS sets the final AI TAC at 27 percent less than the final AI ABC.

#### **Changes from the Proposed 2018 and 2019 Harvest Specifications for the BSAI**

The Council's recommendations for the proposed 2018 and 2019 harvest specifications (82 FR 57906, December 8, 2017) were based largely on information contained in the 2016 SAFE report for the BSAI groundfish fisheries. Through the proposed harvest specifications, NMFS notified the public that these harvest specifications could change, as the Council would consider information contained in the final 2017 SAFE report; recommendations from the Plan Team, SSC, and AP committees; and public testimony when making its recommendations for final harvest specifications at the December 2017 Council meeting. NMFS further notified the public that, as required by the FMP and its implementing regulations, the sum of the TACs must be within the OY range of 1.4 million and 2.0 million mt.

Information contained in the 2017 SAFE report indicates biomass changes from the 2016 SAFE report for several groundfish species. The 2017 report was made available for public review during the public comment period for the proposed harvest

specifications. At the December 2017 Council meeting, the SSC recommended the 2018 and 2019 ABCs for many species based on the best and most recent information contained in the 2017 SAFE reports. This recommendation resulted in an ABC sum total for all BSAI groundfish species in excess of 2 million mt for both 2018 and 2019.

Based on increased fishing effort in 2017, the Council recommends final BS pollock TACs increase by 4,483 mt in 2018 and increase by 23,142 mt in 2019 compared to the proposed 2018 and 2019 BS pollock TACs. In terms of percentage, the largest increases in final 2018 TACs relative to the proposed 2018 TACs were for BSAI “other flatfish” and BSAI sharks, while the largest increases for 2019 also included sablefish. The 2018 increases were to account for higher incidental catches of these species in 2017. Other increases in the final 2018 TACs relative to the proposed 2018 TACs included sablefish, Greenland turbot, Alaska plaice, BS Pacific ocean perch, northern rockfish, Central Aleutian and Western Aleutian (CAI/WAI) blackspotted and roughey rockfish, shortraker rockfish, AI “other rockfish,” Eastern Aleutian Islands and Bering Sea (EAI/BS) Atka mackerel, skates, and sculpins. The 2018 increases were to account for higher interest in directed fishing or higher anticipated incidental catch needs.

Decreases in final 2018 TACs compared to the proposed 2018 TACs were for Bogoslof pollock, BS Pacific cod, arrowtooth flounder, rock sole, flathead sole, EAI Pacific ocean perch, WAI Pacific ocean perch, BS/EAI blackspotted and roughey rockfish, BS “other rockfish,” CAI Atka mackerel, WAI Atka mackerel, squids, and octopuses. As noted in the proposed 2018 and 2019 harvest specifications, the BS Pacific cod ABC and TAC proposed for 2018 and 2019 decreased based on the final 2017 stock assessment. The remaining 2018 decreases were to account for the increases to the TACs



for the species listed above and for the requirement not to exceed the 2.0 million mt OY limit on overall TAC in the BSAI.

The changes to TACs between the proposed and final harvest specifications are based on the most recent scientific and economic information and are consistent with the FMP, regulatory obligations, and harvest strategy as described in the proposed harvest specifications, including the upper limit for OY of 2.0 million mt. These changes are compared in Table 1A.

Table 1 lists the Council's recommended final 2018 OFL, ABC, TAC, initial TAC (ITAC), and CDQ reserve allocations of the BSAI groundfish species or species groups; and Table 2 lists the Council's recommended final 2019 OFL, ABC, TAC, ITAC, and CDQ reserve allocations of the BSAI groundfish species or species groups. NMFS concurs in these recommendations. These final 2018 and 2019 TAC recommendations for the BSAI are within the OY range established for the BSAI and do not exceed the ABC for any species or species group. The apportionment of TAC amounts among fisheries and seasons is discussed below.

TABLE 1—FINAL 2018 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), AND CDQ RESERVE ALLOCATION OF GROUNDFISH IN THE BSAI<sup>1</sup>

[Amounts are in metric tons]

Species	Area	2018				
		OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>
Pollock <sup>4</sup>	BS	4,797,000	2,592,000	1,364,341	1,227,907	136,434
	AI	49,289	40,788	19,000	17,100	1,900
	Bogoslof	130,428	60,800	450	450	0
Pacific cod <sup>5</sup>	BS	238,000	201,000	188,136	168,005	20,131
	AI	28,700	21,500	15,695	14,016	1,679
Sablefish	BS	2,887	1,464	1,464	1,208	201
	AI	3,917	1,988	1,988	1,615	335
Yellowfin sole	BSAI	306,700	277,500	154,000	137,522	16,478
Greenland turbot	BSAI	13,148	11,132	5,294	4,500	n/a
	BS	n/a	9,718	5,125	4,356	548
	AI	n/a	1,414	169	144	0
Arrowtooth flounder	BSAI	76,757	65,932	13,621	11,578	1,457
Kamchatka flounder	BSAI	11,347	9,737	5,000	4,250	0
Rock sole	BSAI	147,300	143,100	47,100	42,060	5,040
Flathead sole <sup>6</sup>	BSAI	79,862	66,773	14,500	12,949	1,552
Alaska plaice	BSAI	41,170	34,590	16,100	13,685	0
Other flatfish <sup>7</sup>	BSAI	17,591	13,193	4,000	3,400	0
Pacific ocean perch	BSAI	51,675	42,509	37,361	32,853	n/a
	BS	n/a	11,861	11,861	10,082	0
	EAI	n/a	10,021	9,000	8,037	963
	CAI	n/a	7,787	7,500	6,698	803
	WAI	n/a	12,840	9,000	8,037	963
Northern rockfish	BSAI	15,888	12,975	6,100	5,185	0
Blackspotted and Rougheye rockfish <sup>8</sup>	BSAI	749	613	225	191	0
	BS/EAI	n/a	374	75	64	0
	CAI/WAI	n/a	239	150	128	0
Shortraker rockfish	BSAI	666	499	150	128	0
Other rockfish <sup>9</sup>	BSAI	1,816	1,362	845	718	0
	BS	n/a	791	275	234	0
	AI	n/a	571	570	485	0
Atka mackerel	BSAI	108,600	92,000	71,000	63,403	7,597
	BS/EAI	n/a	36,820	36,500	32,595	3,906
	CAI	n/a	32,000	21,000	18,753	2,247
	WAI	n/a	23,180	13,500	12,056	1,445
Skates	BSAI	46,668	39,082	27,000	22,950	0
Sculpins	BSAI	53,201	39,995	5,000	4,250	0
Sharks	BSAI	689	517	180	153	0
Squids	BSAI	6,912	5,184	1,200	1,020	0
Octopuses	BSAI	4,769	3,576	250	213	0
TOTAL		6,235,729	3,779,809	2,000,000	1,791,308	196,081

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<sup>1</sup> These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea subarea (BS) includes the Bogoslof District.

<sup>2</sup> Except for pollock, the portion of the sablefish TAC allocated to hook-and-line and pot gear, and Amendment 80 species, 15 percent of each TAC is put into a non-specified reserve. The ITAC for these species is the remainder of the TAC after the subtraction of these reserves. For pollock and Amendment 80 species, ITAC is the non-CDQ allocation of TAC (see footnotes 3 and 5).

<sup>3</sup> For the Amendment 80 species (Atka mackerel, flathead sole, rock sole, yellowfin sole, Pacific cod, and Aleutian Islands Pacific ocean perch), 10.7 percent of the TAC is reserved for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31). Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear, 7.5 percent of the sablefish TAC allocated to trawl gear, and 10.7 percent of the TACs for Bering Sea Greenland turbot and arrowtooth flounder are reserved for use by CDQ participants (see § 679.20(b)(1)(ii)(B) and (D)). Aleutian Islands Greenland turbot, “other flatfish,” Alaska plaice, Bering Sea Pacific ocean perch, northern rockfish, shortraker rockfish, blackspotted and rougheye rockfish, “other rockfish,” skates, sculpins, sharks, squids, and octopuses are not allocated to the CDQ program.

<sup>4</sup> Under § 679.20(a)(5)(i)(A), the annual BS pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (3.9 percent), is further allocated by sector for a pollock directed fishery as follows: inshore - 50 percent; catcher/processor - 40 percent; and motherships - 10 percent. Under § 679.20(a)(5)(iii)(B)(2), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery.

<sup>5</sup> The BS Pacific cod TAC is set to account for the 6.4 percent of the BS ABC for the State of Alaska’s (State) guideline harvest level in State waters of the BS. The AI Pacific cod TAC is set to account for the 27 percent of the AI ABC for the State guideline harvest level in State waters of the AI.

<sup>6</sup> “Flathead sole” includes *Hippoglossoides elassodon* (flathead sole) and *Hippoglossoides robustus* (Bering flounder).

<sup>7</sup> “Other flatfish” includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder, Kamchatka flounder, and Alaska plaice.

<sup>8</sup> “Rougheye rockfish” includes *Sebastes aleutianus* (rougheye) and *Sebastes melanostictus* (blackspotted).

<sup>9</sup> “Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, shortraker rockfish, and blackspotted and rougheye rockfish.

**Note:** Regulatory areas and districts are defined at § 679.2 (BSAI=Bering Sea and Aleutian Islands Management Area, BS=Bering Sea subarea, AI=Aleutian Islands subarea, EAI=Eastern Aleutian district, CAI=Central Aleutian district, WAI=Western Aleutian district.)

TABLE 1A—COMPARISON OF FINAL 2018 AND 2019 WITH PROPOSED 2018 AND 2019 TOTAL ALLOWABLE CATCH IN THE BSAI

[Amounts are in metric tons]

Species	Area <sup>1</sup>	2018 final TAC	2018 proposed TAC	2018 differenc e from proposed	2018 percentag e differenc e from proposed	2019 final TAC	2019 proposed TAC	2019 differenc e from proposed	2019 percentag e differen ce from proposed
Pollock	BS	1,364,341	1,359,858	4,483	0.3	1,383,000	1,359,858	23,142	1.7
	AI	19,000	19,000	0	0.0	19,000	19,000	0	0.0
	Bogoslof	450	500	-50	-10.0	500	500	0	0.0
Pacific cod	BS	188,136	194,936	-6,800	-3.5	159,120	194,936	-35,816	-18.4
	AI	15,695	15,695	0	0.0	15,695	15,695	0	0.0
Sablefish	BS	1,464	1,274	190	14.9	2,061	1,274	787	61.8
	AI	1,988	1,735	253	14.6	2,798	1,735	1,063	61.3
Yellowfin sole	BSAI	154,000	154,000	0	0.0	156,000	154,000	2,000	1.3
Greenland turbot	BS	5,125	4,375	750	17.1	5,125	4,375	750	17.1
	AI	169	125	44	35.2	169	125	44	35.2
Arrowtooth flounder	BSAI	13,621	14,000	-379	-2.7	14,000	14,000	0	0.0
Kamchatka flounder	BSAI	5,000	5,000	0	0.0	5,000	5,000	0	0.0
Rock sole	BSAI	47,100	50,100	-3,000	-6.0	49,100	50,100	-1,000	-2.0
Flathead sole	BSAI	14,500	15,500	-1,000	-6.5	16,500	15,500	1,000	6.5
Alaska plaice	BSAI	16,100	13,000	3,100	23.8	16,252	13,000	3,252	25.0
Other flatfish	BSAI	4,000	2,500	1,500	60.0	4,000	2,500	1,500	60.0
Pacific ocean perch	BS	11,861	11,000	861	7.8	11,499	11,000	499	4.5
	EAI	9,000	9,900	-900	-9.1	9,715	9,900	-185	-1.9
	CAI	7,500	7,500	0	0.0	7,549	7,500	49	0.7
	WAI	9,000	12,000	-3,000	-25.0	9,117	12,000	-2,883	-24.0
Northern rockfish	BSAI	6,100	5,000	1,100	22.0	6,500	5,000	1,500	30.0
Blackspotted / Rougheye rockfish	BS/EAI	75	100	-25	-25.0	75	100	-25	-25.0
	CAI/WAI	150	125	25	20.0	150	125	25	20.0
Shortraker rockfish	BSAI	150	125	25	20.0	150	125	25	20.0
Other rockfish	BS	275	325	-50	-15.4	275	325	-50	-15.4
	AI	570	550	20	3.6	570	550	20	3.6
Atka mackerel	EAI/BS	36,500	34,000	2,500	7.4	33,780	34,000	-220	-0.6
	CAI	21,000	21,500	-500	-2.3	24,895	21,500	3,395	15.8
	WAI	13,500	13,910	-410	-2.9	13,825	13,910	-85	-0.6
Skates	BSAI	27,000	26,000	1,000	3.8	27,000	26,000	1,000	3.8
Sculpins	BSAI	5,000	4,500	500	11.1	5,000	4,500	500	11.1
Sharks	BSAI	180	125	55	44.0	180	125	55	44.0
Squids	BSAI	1,200	1,342	-142	-10.6	1,200	1,342	-142	-10.6
Octopuses	BSAI	250	400	-150	-37.5	200	400	-200	-50.0
TOTAL	BSAI	2,000,000	2,000,000	0	0.0	2,000,000	2,000,000	0	0.0

<sup>1</sup>Bering Sea subarea (BS), Aleutian Islands subarea (AI), Bering Sea and Aleutian Islands management area (BSAI), Eastern Aleutian District (EAI), Central Aleutian District (CAI), and Western Aleutian District (WAI).

TABLE 2—FINAL 2019 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), AND CDQ RESERVE ALLOCATION OF GROUND FISH IN THE BSAI<sup>1</sup>

[Amounts are in metric tons]

Species	Area	2019				
		OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>
Pollock <sup>4</sup>	BS	4,592,000	2,467,000	1,383,000	1,244,700	138,300
	AI	37,431	30,803	19,000	17,100	1,900
	Bogoslof	130,428	60,800	500	500	0
Pacific cod <sup>5</sup>	BS	201,000	170,000	159,120	142,094	17,026
	AI	28,700	21,500	15,695	14,016	1,679
Sablefish	BS	4,576	2,061	2,061	876	77
	AI	6,209	2,798	2,798	595	52
Yellowfin sole	BSAI	295,600	267,500	156,000	139,308	16,692
Greenland turbot	BSAI	13,540	11,473	5,294	4,500	n/a
	BS	n/a	10,016	5,125	4,356	548
	AI	n/a	1,457	169	144	0
Arrowtooth flounder	BSAI	75,084	64,494	14,000	11,900	1,498
Kamchatka flounder	BSAI	12,022	10,317	5,000	4,250	0
Rock sole	BSAI	136,000	132,000	49,100	43,846	5,254
Flathead sole <sup>6</sup>	BSAI	78,036	65,227	16,500	14,735	1,766
Alaska plaice	BSAI	38,800	32,700	16,252	13,814	0
Other flatfish <sup>7</sup>	BSAI	17,591	13,193	4,000	3,400	0
Pacific ocean perch	BSAI	50,098	41,212	37,880	33,332	n/a
	BS	n/a	11,499	11,499	9,774	0
	EAI	n/a	9,715	9,715	8,675	1,040
	CAI	n/a	7,549	7,549	6,741	808
	WAI	n/a	12,449	9,117	8,141	976
Northern rockfish	BSAI	15,563	12,710	6,500	5,525	0
Blackspotted and Rougheye rockfish <sup>8</sup>	BSAI	829	678	225	191	0
	BS/EAI	n/a	414	75	64	0
	CAI/WAI	n/a	264	150	128	0
Shortraker rockfish	BSAI	666	499	150	128	0
Other rockfish <sup>9</sup>	BSAI	1,816	1,362	845	718	0
	BS	n/a	791	275	234	0
	AI	n/a	571	570	485	0
Atka mackerel	BSAI	97,200	84,400	72,500	64,743	7,758
	EAI/BS	n/a	33,780	33,780	30,166	3,614
	CAI	n/a	29,350	24,895	22,231	2,664
	WAI	n/a	21,270	13,825	12,346	1,479
Skates	BSAI	44,202	36,957	27,000	22,950	0
Sculpins	BSAI	53,201	39,995	5,000	4,250	0
Sharks	BSAI	689	517	180	153	0
Squids	BSAI	6,912	5,184	1,200	1,020	0
Octopuses	BSAI	4,769	3,576	200	170	0
TOTAL		5,942,962	3,578,956	2,000,000	1,788,813	195,373

<sup>1</sup> These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea subarea (BS) includes the Bogoslof District.

<sup>2</sup> Except for pollock, the portion of the sablefish TAC allocated to hook-and-line and pot gear, and Amendment 80 species, 15 percent of each TAC is put into a non-specified reserve. The ITAC for these species is the remainder of the TAC after the subtraction of these reserves. For pollock and Amendment 80 species, ITAC is the non-CDQ allocation of TAC (see footnotes 3 and 5).

<sup>3</sup> For the Amendment 80 species (Atka mackerel, flathead sole, rock sole, yellowfin sole, Pacific cod, and Aleutian Islands Pacific ocean perch), 10.7 percent of the TAC is reserved for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31). Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear, 7.5 percent of the sablefish TAC allocated to trawl gear, and 10.7 percent of the TACs for Bering Sea Greenland turbot and arrowtooth flounder are reserved for use by CDQ participants (see § 679.20(b)(1)(ii)(B) and (D)). Aleutian Islands Greenland turbot, “other flatfish,” Alaska plaice, Bering Sea Pacific ocean perch, northern rockfish, shortraker rockfish, blackspotted and rougheye rockfish, “other rockfish,” skates, sculpins, sharks, squids, and octopuses are not allocated to the CDQ program.

<sup>4</sup> Under § 679.20(a)(5)(i)(A), the annual BS pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (3.9 percent), is further allocated by sector for a pollock directed fishery as follows: inshore - 50 percent; catcher/processor - 40 percent; and motherships - 10 percent. Under § 679.20(a)(5)(iii)(B)(2), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery.

<sup>5</sup> The BS Pacific cod TAC is set to account for the 6.4 percent of the BS ABC for the State of Alaska’s (State) guideline harvest level in State waters of the BS. The AI Pacific cod TAC is set to account for the 27 percent of the AI ABC for the State guideline harvest level in State waters of the AI.

<sup>6</sup> “Flathead sole” includes *Hippoglossoides elassodon* (flathead sole) and *Hippoglossoides robustus* (Bering flounder).

<sup>7</sup> “Other flatfish” includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder, Kamchatka flounder, and Alaska plaice.

<sup>8</sup> “Rougheye rockfish” includes *Sebastes aleutianus* (rougheye) and *Sebastes melanostictus* (blackspotted).

<sup>9</sup> “Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, shortraker rockfish, and blackspotted and rougheye rockfish.

**Note:** Regulatory areas and districts are defined at § 679.2 (BSAI=Bering Sea and Aleutian Islands management area, BS=Bering Sea subarea, AI=Aleutian Islands subarea, EAI=Eastern Aleutian district, CAI=Central Aleutian district, WAI=Western Aleutian district.)

*Groundfish Reserves and the Incidental Catch Allowance (ICA) for Pollock, Atka Mackerel, Flathead Sole, Rock Sole, Yellowfin Sole, and Aleutian Islands Pacific Ocean Perch*

Section 679.20(b)(1)(i) requires NMFS to reserve 15 percent of the TAC for each target species, except for pollock, hook-and-line and pot gear allocation of sablefish, and Amendment 80 species, in a non-specified reserve. Section 679.20(b)(1)(ii)(B) requires that NMFS allocate 20 percent of the hook-and-line or pot gear allocation of sablefish for the fixed-gear sablefish CDQ reserve for each subarea. Section 679.20(b)(1)(ii)(D) requires that NMFS allocate 7.5 percent of the trawl gear allocations of sablefish in the BS and AI and 10.7 percent of the Bering Sea Greenland turbot and arrowtooth flounder TACs to the respective CDQ reserves. Section 679.20(b)(1)(ii)(C) requires that NMFS allocate 10.7 percent of the TAC for Atka mackerel, Aleutian Islands Pacific ocean perch, yellowfin sole, rock sole, flathead sole, and Pacific cod to the CDQ reserves. Sections 679.20(a)(5)(i)(A) and 679.31(a) also require that 10 percent of the Bering Sea pollock TAC be allocated to the pollock CDQ directed fishing allowance (DFA). Similarly, §§ 679.20(a)(5)(iii)(B)(2)(i) and 679.31(a) require that 10 percent of the Aleutian Islands TAC be allocated to the pollock CDQ reserve. The entire Bogoslof District pollock TAC is allocated as an ICA pursuant to § 679.20(a)(5)(ii) because the Bogoslof District is closed to directed fishing for pollock by regulation (§ 679.22(a)(7)(i)(B)). With the exception of the hook-and-line or pot gear sablefish CDQ reserve, the regulations do not further apportion the CDQ allocations by gear.

Pursuant to § 679.20(a)(5)(i)(A)(I), NMFS allocates a pollock ICA of 3.9 percent of the BS pollock TAC after subtracting the 10 percent CDQ reserve. This allowance is

based on NMFS' examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock from 2000 through 2017. During this 18-year period, the pollock incidental catch ranged from a low of 2.4 percent in 2006 to a high of 4.8 percent in 2014, with an 18-year average of 3.3 percent. Pursuant to § 679.20(a)(5)(iii)(B)(2)(ii), NMFS establishes a pollock ICA of 2,400 mt of the AI TAC after subtracting the 10-percent CDQ DFA. This allowance is based on NMFS' examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock from 2003 through 2017. During this 15-year period, the incidental catch of pollock ranged from a low of 5 percent in 2006 to a high of 17 percent in 2014, with a 15-year average of 8 percent.

Pursuant to § 679.20(a)(8) and (10), NMFS allocates ICAs of 4,000 mt of flathead sole, 6,000 mt of rock sole, 4,000 mt of yellowfin sole, 10 mt of WAI Pacific ocean perch, 120 mt of CAI Pacific ocean perch, 100 mt of EAI Pacific ocean perch, 20 mt of WAI Atka mackerel, 75 mt of CAI Atka mackerel, and 800 mt of EAI and BS Atka mackerel TAC after subtracting the 10.7 percent CDQ reserve. These ICA allowances are based on NMFS' examination of the incidental catch in other target fisheries from 2003 through 2016.

The regulations do not designate the remainder of the non-specified reserve by species or species group. Any amount of the reserve may be apportioned to a target species that contributed to the non-specified reserves during the year, provided that such apportionments are consistent with § 679.20(a)(3) and do not result in overfishing (see § 679.20(b)(1)(i)). The Regional Administrator has determined that the ITACs specified for the species listed in Table 1 need to be supplemented from the non-specified reserve



because U.S. fishing vessels have demonstrated the capacity to catch the full TAC allocations. Therefore, in accordance with § 679.20(b)(3), NMFS is apportioning the amounts shown in Table 3 from the non-specified reserve to increase the ITAC for shortraker rockfish, blackspotted and roughey rockfish, “other rockfish,” sharks, and octopuses by 15 percent of the TAC in 2018 and 2019.

TABLE 3—FINAL 2018 AND 2019 APPORTIONMENT OF NON-SPECIFIED RESERVES TO ITAC CATEGORIES

[Amounts are in metric tons]

Species-area or subarea	2018 ITAC	2018 reserve amount	2018 final ITAC	2019 ITAC	2019 reserve amount	2019 final ITAC
Shortraker rockfish-BSAI	128	22	150	128	22	150
Rougheye rockfish-BS/EAI	64	11	75	64	11	75
Rougheye rockfish-CAI/WAI	128	22	150	128	22	150
Other rockfish-Bering Sea subarea	234	41	275	234	41	275
Other rockfish-Aleutian Islands subarea	485	85	570	485	85	570
Sharks	153	27	180	153	27	180
Octopuses	213	37	250	340	60	400
Total	1,405	245	1,650	1,532	268	1,800

*Allocation of Pollock TAC under the American Fisheries Act (AFA)*

Section 679.20(a)(5)(i)(A) requires that the BS pollock TAC be apportioned as a DFA, after subtracting 10 percent for the CDQ program and 3.9 percent for the ICA, as follows: 50 percent to the inshore sector, 40 percent to the catcher/processor (C/P) sector, and 10 percent to the mothership sector. In the BS, 45 percent of the DFA is allocated to the A season (January 20–June 10), and 55 percent of the DFA is allocated to the B season (June 10–November 1) (§§ 679.20(a)(5)(i)(B)(1) and 679.23(e)(2)). The Aleutian Islands directed pollock fishery allocation to the Aleut Corporation is the amount of pollock TAC remaining in the AI after subtracting 1,900 mt for the CDQ DFA (10 percent) and 2,400 mt for the ICA (§ 679.20(a)(5)(iii)(B)(2)). In the AI, the total A season apportionment of the TAC (including the AI directed fishery allocation, the CDQ allowance, and the ICA) may equal up to 40 percent of the ABC for AI pollock, and the remainder of the TAC is allocated to the B season (§ 679.20(a)(5)(iii)(B)(3)). Tables 4 and 5 list these 2018 and 2019 amounts.

Section 679.20(a)(5)(iii)(B)(6) sets harvest limits for pollock in the A season (January 20 to June 10) in Areas 543, 542, and 541 (see § 679.20(a)(5)(iii)(B)(6)). In Area 543, the A season pollock harvest limit is no more than 5 percent of the Aleutian Islands pollock ABC. In Area 542, the A season pollock harvest limit is no more than 15 percent of the Aleutian Islands pollock ABC. In Area 541, the A season pollock harvest limit is no more than 30 percent of the Aleutian Islands pollock ABC.

Section 679.20(a)(5)(i)(A)(4) also includes several specific requirements regarding BS pollock allocations. First, it requires that 8.5 percent of the pollock allocated to the C/P sector be available for harvest by AFA catcher vessels (CVs) with

C/P sector endorsements, unless the Regional Administrator receives a cooperative contract that allows the distribution of harvest among AFA C/Ps and AFA CVs in a manner agreed to by all members. Second, AFA C/Ps not listed in the AFA are limited to harvesting not more than 0.5 percent of the pollock allocated to the C/P sector. Tables 4 and 5 list the 2018 and 2019 allocations of pollock TAC. Tables 20 through 25 list the AFA C/P and CV harvesting sideboard limits. The tables for the pollock allocations to the BS inshore pollock cooperatives and open access sector will be posted on the Alaska Region Website at <http://alaskafisheries.noaa.gov>.

Tables 4 and 5 also list seasonal apportionments of pollock and harvest limits within the Steller Sea Lion Conservation Area (SCA). The harvest within the SCA, as defined at § 679.22(a)(7)(vii), is limited to no more than 28 percent of the annual pollock DFA before 12:00 noon, April 1, as provided in § 679.20(a)(5)(i)(C). The A season pollock SCA harvest limit will be apportioned to each sector in proportion to each sector's allocated percentage of the DFA. Tables 4 and 5 list these 2018 and 2019 amounts by sector.

TABLE 4—FINAL 2018 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA)<sup>1</sup>

[Amounts are in metric tons]

Area and sector	2018 Allocations	2018 A season <sup>1</sup>		2018 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
Bering Sea subarea TAC <sup>1</sup>	1,364,341	n/a	n/a	n/a
CDQ DFA	136,434	61,395	38,202	75,039
ICA <sup>1</sup>	47,888	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA	1,180,019	531,008	330,405	649,010
AFA Inshore	590,009	265,504	165,203	324,505
AFA Catcher/Processors <sup>3</sup>	472,007	212,403	132,162	259,604
Catch by C/Ps	431,887	194,349	n/a	237,538
Catch by CVs <sup>3</sup>	40,121	18,054	n/a	22,066
Unlisted C/P Limit <sup>4</sup>	2,360	1,062	n/a	1,298
AFA Motherships	118,002	53,101	33,041	64,901
Excessive Harvesting Limit <sup>5</sup>	206,503	n/a	n/a	n/a
Excessive Processing Limit <sup>6</sup>	354,006	n/a	n/a	n/a
Aleutian Islands subarea ABC	40,788	n/a	n/a	n/a
Aleutian Islands subarea TAC <sup>1</sup>	19,000	n/a	n/a	n/a
CDQ DFA	1,900	760	n/a	1,140
ICA	2,400	1,200	n/a	1,200
Aleut Corporation	14,700	14,355	n/a	345
Area harvest limit <sup>7</sup>	n/a	n/a	n/a	n/a
541	12,236	n/a	n/a	n/a
542	6,118	n/a	n/a	n/a
543	2,039	n/a	n/a	n/a
Bogoslof District ICA <sup>8</sup>	450	n/a	n/a	n/a

<sup>1</sup>Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock, after subtracting the CDQ DFA (10 percent) and the ICA (3.9 percent), is allocated as a DFA as follows: inshore sector - 50 percent, catcher/processor sector (C/P) - 40 percent, and mothership sector - 10 percent. In the Bering Sea subarea, 45 percent of the DFA is allocated to the A season (January 20–June 10) and 55 percent of the DFA is allocated to the B season (June 10–November 1). Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) through (iii), the annual Aleutian Islands pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for the ICA (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the Aleutian Islands subarea, the A season is allocated up to 40 percent of the ABC, and the B season is allocated the remainder of the pollock directed fishery.

<sup>2</sup>In the Bering Sea subarea, pursuant to § 679.20(a)(5)(i)(C), no more than 28 percent of each sector's annual DFA may be taken from the SCA before noon, April 1.

<sup>3</sup>Pursuant to § 679.20(a)(5)(i)(A)(4), 8.5 percent of the DFA allocated to listed catcher/processers shall be available for harvest only by AFA catcher vessels with catcher/processor sector endorsements delivering to listed catcher/processers, unless there is a C/P sector cooperative contract for the year.

<sup>4</sup>Pursuant to § 679.20(a)(5)(i)(A)(4)(iii), the AFA unlisted catcher/processers are limited to harvesting not more than 0.5 percent of the catcher/processers sector's allocation of pollock.

<sup>5</sup>Pursuant to § 679.20(a)(5)(i)(A)(6), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.

<sup>6</sup>Pursuant to § 679.20(a)(5)(i)(A)(7), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.

<sup>7</sup>Pursuant to § 679.20(a)(5)(iii)(B)(6), NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the Aleutian Islands pollock ABC.

<sup>8</sup> Pursuant to § 679.22(a)(7)(i)(B), the Bogoslof District is closed to directed fishing for pollock. The amounts specified are for ICA only and are not apportioned by season or sector.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 5—FINAL 2019 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA)<sup>1</sup>

[Amounts are in metric tons]

Area and sector	2019 Allocations	2019 A season <sup>1</sup>		2019 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
Bering Sea subarea TAC <sup>1</sup>	1,383,000	n/a	n/a	n/a
CDQ DFA	138,300	62,235	38,724	76,065
ICA <sup>1</sup>	48,543	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA	1,196,157	538,271	334,924	657,886
AFA Inshore	598,078	269,135	167,462	328,943
AFA Catcher/Processors <sup>3</sup>	478,463	215,308	133,970	263,154
Catch by C/Ps	437,793	197,007	n/a	240,786
Catch by CVs <sup>3</sup>	40,669	18,301	n/a	22,368
Unlisted C/P Limit <sup>4</sup>	2,392	1,077	n/a	1,316
AFA Motherships	119,616	53,827	33,492	65,789
Excessive Harvesting Limit <sup>5</sup>	209,327	n/a	n/a	n/a
Excessive Processing Limit <sup>6</sup>	358,847	n/a	n/a	n/a
Aleutian Islands subarea ABC	30,803	n/a	n/a	n/a
Aleutian Islands subarea TAC <sup>1</sup>	19,000	n/a	n/a	n/a
CDQ DFA	1,900	760	n/a	1,140
ICA	2,400	1,200	n/a	1,200
Aleut Corporation	14,700	10,361	n/a	4,339
Area harvest limit <sup>7</sup>	n/a	n/a	n/a	n/a
541	9,241	n/a	n/a	n/a
542	4,620	n/a	n/a	n/a
543	1,540	n/a	n/a	n/a
Bogoslof District ICA <sup>8</sup>	500	n/a	n/a	n/a

<sup>1</sup>Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock, after subtracting the CDQ DFA (10 percent) and the ICA (3.9 percent), is allocated as a DFA as follows: inshore sector - 50 percent, catcher/processor sector (C/P) - 40 percent, and mothership sector - 10 percent. In the Bering Sea subarea, 45 percent of the DFA is allocated to the A season (January 20–June 10) and 55 percent of the DFA is allocated to the B season (June 10–November 1). Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) through (iii), the annual Aleutian Islands pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second the ICA (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the Aleutian Islands subarea, the A season is allocated up to 40 percent of the ABC, and the B season is allocated the remainder of the pollock directed fishery.

<sup>2</sup>In the Bering Sea subarea, pursuant to § 679.20(a)(5)(i)(C), no more than 28 percent of each sector's annual DFA may be taken from the SCA before noon, April 1.

<sup>3</sup>Pursuant to § 679.20(a)(5)(i)(A)(4), 8.5 percent of the DFA allocated to listed catcher/processors shall be available for harvest only by AFA catcher vessels with catcher/processor sector endorsements delivering to listed catcher/processors, unless there is a C/P sector cooperative contract for the year.

<sup>4</sup>Pursuant to § 679.20(a)(5)(i)(A)(4)(iii), the AFA unlisted catcher/processors are limited to harvesting not more than 0.5 percent of the catcher/processors sector's allocation of pollock.

<sup>5</sup>Pursuant to § 679.20(a)(5)(i)(A)(6), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.

<sup>6</sup>Pursuant to § 679.20(a)(5)(i)(A)(7), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.

<sup>7</sup>Pursuant to § 679.20(a)(5)(iii)(B)(6), NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the Aleutian Islands pollock ABC.

<sup>8</sup> Pursuant to § 679.22(a)(7)(i)(B), the Bogoslof District is closed to directed fishing for pollock. The amounts specified are for ICA only and are not apportioned by season or sector.

Note: Seasonal or sector apportionments may not total precisely due to rounding.



### *Allocation of the Atka Mackerel TACs*

Section 679.20(a)(8) allocates the Atka mackerel TACs to the Amendment 80 and BSAI trawl limited access sectors, after subtracting the CDQ reserves, ICAs for the BSAI trawl limited access sector and non-trawl gear sector, and the jig gear allocation (Tables 6 and 7). The percentage of the ITAC for Atka mackerel allocated to the Amendment 80 and BSAI trawl limited access sectors is listed in Table 33 to 50 CFR part 679 and in § 679.91. Pursuant to § 679.20(a)(8)(i), up to 2 percent of the EAI and the BS Atka mackerel ITAC may be allocated to vessels using jig gear. The percent of this allocation is recommended annually by the Council based on several criteria, including, among other criteria, the anticipated harvest capacity of the jig gear fleet. The Council recommended, and NMFS approves, a 0.5 percent allocation of the Atka mackerel ITAC in the EAI and BS to the jig gear sector in 2018 and 2019.

Section 679.20(a)(8)(ii)(A) apportions the Atka mackerel TAC into two equal seasonal allowances. Section 679.23(e)(3) sets the first seasonal allowance for directed fishing with trawl gear from January 20 through June 10 (A season), and the second seasonal allowance from June 10 through December 31 (B season). Section 679.23(e)(4)(iii) applies Atka mackerel seasons to CDQ Atka mackerel trawl fishing. The ICA and jig gear allocations are not apportioned by season.

Section 679.20(a)(8)(ii)(C)(1)(i) and (ii) limits Atka mackerel catch within waters 0 nm to 20 nm of Steller sea lion sites listed in Table 6 to 50 CFR part 679 and located west of 178° W longitude to no more than 60 percent of the annual TACs in Areas 542 and 543, and equally divides the annual TAC between the A and B seasons as defined at § 679.23(e)(3). Section 679.20(a)(8)(ii)(C)(2) requires that the annual TAC in Area 543

will be no more than 65 percent of the ABC in Area 543. Section 679.20(a)(8)(ii)(D) requires that any unharvested Atka mackerel A season allowance that is added to the B season be prohibited from being harvested within waters 0 nm to 20 nm of Steller sea lion sites listed in Table 6 to 50 CFR part 679 and located in Areas 541, 542, and 543.

Tables 6 and 7 list these 2018 and 2019 Atka mackerel seasonal and area allowances, and the sector allocations. One Amendment 80 cooperative has formed for the 2018 fishing year. The 2019 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018.

TABLE 6—FINAL 2018 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2,3,4</sup>	2018 allocation by area		
		Eastern Aleutian District/Bering Sea	Central Aleutian District <sup>5</sup>	Western Aleutian District
TAC	n/a	36,500	21,000	13,500
CDQ reserve	Total	3,906	2,247	1,445
	A	1,953	1,124	722
	Critical Habitat	n/a	674	433
	B	1,953	1,124	722
	Critical Habitat	n/a	674	433
Non-CDQ TAC	n/a	32,595	18,753	12,056
ICA	Total	800	75	20
Jig <sup>6</sup>	Total	159	0	0
BSAI trawl limited access	Total	3,164	1,868	0
	A	1,582	934	0
	Critical Habitat	n/a	560	0
	B	1,582	934	0
	Critical Habitat	n/a	560	0
Amendment 80 sector	Total	28,472	16,885	12,056
	A	14,236	8,443	6,028
	Critical Habitat	n/a	5,066	3,617
	B	14,236	8,443	6,028
	Critical Habitat	n/a	5,066	3,617

<sup>1</sup> Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, jig gear allocation, and ICAs, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in Table 33 to 50 CFR part 679 and § 679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31).

<sup>2</sup> Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

<sup>3</sup> The seasonal allowances of Atka mackerel are 50 percent in the A season and 50 percent in the B season.

<sup>4</sup> Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

<sup>5</sup> Section 679.20(a)(8)(ii)(C)(I)(i) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion critical habitat; section 679.20(a)(8)(ii)(C)(I)(ii) equally divides the annual TACs between the A and B seasons as defined at § 679.23(e)(3); and section 679.20(a)(8)(ii)(C)(2) requires the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

<sup>6</sup> Section 679.20(a)(8)(i) requires that up to 2 percent of the Eastern Aleutian District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS set the amount of this allocation for 2018 at 0.5 percent. The jig gear allocation is not apportioned by season.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 7—FINAL 2019 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATION OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2,3,4</sup>	2019 allocation by area		
		Eastern Aleutian District/Bering Sea <sup>5</sup>	Central Aleutian District <sup>5</sup>	Western Aleutian District <sup>5</sup>
TAC	n/a	33,780	24,895	13,825
CDQ reserve	Total	3,614	2,664	1,479
	A	1,807	1,332	740
	Critical Habitat	n/a	799	444
	B	1,807	1,332	740
	Critical Habitat	n/a	799	444
non-CDQ TAC	n/a	30,166	22,231	12,346
ICA	Total	800	75	20
Jig <sup>6</sup>	Total	147	0	0
BSAI trawl limited access	Total	2,922	2,216	0
	A	1,461	1,108	0
	Critical Habitat	n/a	665	0
	B	1,461	1,108	0
	Critical Habitat	n/a	665	0
Amendment 80 sectors <sup>7</sup>	Total	26,297	20,016	12,346
	A	13,148	10,008	6,173
	Critical Habitat	n/a	6,005	3,704
	B	13,148	10,008	6,173
	Critical Habitat	n/a	6,005	3,704

<sup>1</sup> Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, jig gear allocation, and ICAs, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in Table 33 to 50 CFR part 679 and § 679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31).

<sup>2</sup> Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

<sup>3</sup> The seasonal allowances of Atka mackerel are 50 percent in the A season and 50 percent in the B season.

<sup>4</sup> Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

<sup>5</sup> Section 679.20(a)(8)(ii)(C)(I)(i) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion critical habitat; section 679.20(a)(8)(ii)(C)(I)(ii) equally divides the annual TACs between the A and B seasons as defined at § 679.23(e)(3); and section 679.20(a)(8)(ii)(C)(2) requires the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

<sup>6</sup> Section 679.20(a)(8)(i) requires that up to 2 percent of the Eastern Aleutian District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS set the amount of this allocation for 2019 at 0.5 percent. The jig gear allocation is not apportioned by season.

<sup>7</sup> The 2019 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018. NMFS will post 2019 Amendment 80 allocations when they become available in December 2018.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

### *Allocation of the Pacific Cod TAC*

The Council separated Bering Sea and Aleutian Islands subarea OFLs, ABCs, and TACs for Pacific cod in 2014 (79 FR 12108, March 4, 2014). Section 679.20(b)(1)(ii)(C) allocates 10.7 percent of the Bering Sea TAC and Aleutian Islands TAC to the CDQ program. After CDQ allocations have been deducted from the respective Bering Sea and Aleutian Islands Pacific cod TACs, the remaining Bering Sea and Aleutian Islands Pacific cod TACs are combined for calculating further BSAI Pacific cod sector allocations. If the non-CDQ Pacific cod TAC is or will be reached in either the Bering Sea or the Aleutian Islands subareas, NMFS will prohibit non-CDQ directed fishing for Pacific cod in that subarea as provided in § 679.20(d)(1)(iii).

Section 679.20(a)(7)(i) and (ii) allocates to the non-CDQ sectors the Pacific cod TAC in the combined BSAI TAC, after subtracting 10.7 percent for the CDQ program, as follows: 1.4 percent to vessels using jig gear; 2.0 percent to hook-and-line or pot CVs less than 60 ft (18.3 m) length overall (LOA); 0.2 percent to hook-and-line CVs greater than or equal to 60 ft (18.3 m) LOA; 48.7 percent to hook-and-line C/Ps; 8.4 percent to pot CVs greater than or equal to 60 ft (18.3 m) LOA; 1.5 percent to pot C/Ps; 2.3 percent to AFA trawl C/Ps; 13.4 percent to Amendment 80 sector; and 22.1 percent to trawl CVs. The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. For 2018 and 2019, the Regional Administrator establishes an ICA of 400 mt based on anticipated incidental catch by these sectors in other fisheries.

The ITAC allocation of Pacific cod to the Amendment 80 sector is established in Table 33 to 50 CFR part 679 and § 679.91. One Amendment 80 cooperative has formed

for the 2018 fishing year. The 2019 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018.

The Pacific cod ITAC is apportioned into seasonal allowances to disperse the Pacific cod fisheries over the fishing year (see §§ 679.20(a)(7)(i)(B), 679.20(a)(7)(iv)(A), and 679.23(e)(5)). In accordance with § 679.20(a)(7)(iv)(B) and (C), any unused portion of a seasonal Pacific cod allowance for any sector, except the jig sector, will become available at the beginning of that sector's next seasonal allowance.

Section 679.20(a)(7)(vii) requires the Regional Administrator to establish an Area 543 Pacific cod harvest limit based on Pacific cod abundance in Area 543. Based on the 2017 stock assessment, the Regional Administrator determined the Area 543 Pacific cod harvest limit to be 25.6 percent of the Aleutian Islands Pacific cod TAC for 2018 and 2019. NMFS will first subtract the State GHF Pacific cod amount from the Aleutian Islands Pacific cod ABC. Then NMFS will determine the harvest limit in Area 543 by multiplying the percentage of Pacific cod estimated in Area 543 by the remaining ABC for Aleutian Islands Pacific cod. Based on these calculations, the Area 543 harvest limit is 4,018 mt.

Section 679.20(a)(7)(viii) requires specification of annual Pacific cod allocations for the Aleutian Islands non-CDQ ICA, non-CDQ DFA, CV Harvest Set-Aside, and Unrestricted Fishery, as well as the Bering Sea Trawl CV A-Season Sector Limitation. The CV Harvest Set-Aside is a portion of the AI Pacific cod TAC that is available for harvest by catcher vessels directed fishing for AI Pacific cod and delivering their catch

for processing to an AI shoreside processor. The CV Harvest Set-Aside will be effective in a fishing year if certain notification and performance requirements are met. First, in accordance with § 679.20(a)(7)(viii)(D), NMFS must receive timely and complete notification of intent to process AI Pacific cod from either the City Manager of the City of Adak or the City Administrator for Atka prior to the start of that fishing year. Second, if the performance requirement in § 679.20(a)(7)(viii)(E)(4), which requires a set amount of the Aleutian Islands CV Harvest Set-Aside to be landed at Aleutian Islands shoreplants on or before February 28, 2018, is not met during that fishing year, then the Aleutian Islands CV Harvest Set-Aside is lifted and the Bering Sea Trawl CV A-Season Sector Limitation is suspended for the remainder of that fishing year.

For 2018, NMFS received prior to October 31, 2017, timely and complete notice from the City of Adak indicating an intent to process AI Pacific cod in 2018.

Accordingly, the harvest limits in Table 9a will be in effect in 2018, subject to the requirements outlined in § 679.20(a)(7)(viii)(E)(4): if less than 1,000 mt of the Aleutian Islands CV Harvest Set-Aside is landed at Aleutian Islands shoreplants on or before February 28, 2018, then for the remainder of the year the Aleutian Islands CV Harvest Set-Aside is lifted and the Bering Sea Trawl CV A-Season Sector Limitation is suspended. If the entire Aleutian Islands CV Harvest Set-Aside is fully harvested and delivered to Aleutian Islands shoreplants before March 15, 2018, then the Bering Sea Trawl CV A-Season Sector Limitation will be suspended for the remainder of the fishing year.

The CDQ and non-CDQ seasonal allowances by gear based on the 2018 and 2019 Pacific cod TACs are listed in Tables 8 and 9, and are based on the sector allocation



percentages and seasonal allowances for Pacific cod set forth at § 679.20(a)(7)(i)(B) and (a)(7)(iv)(A); and the seasons for Pacific cod set forth at § 679.23(e)(5).

TABLE 8—FINAL 2018 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Gear sector	Percent	2018 share of gear sector total	2018 share of sector total	2018 seasonal apportionment	
				Seasons	Amount
BS TAC	n/a	188,136	n/a	n/a	n/a
BS CDQ	n/a	20,131	n/a	see § 679.20(a)(7)(i)(B)	n/a
BS non-CDQ TAC	n/a	168,005	n/a	n/a	n/a
AI TAC	n/a	15,695	n/a	n/a	n/a
AI CDQ	n/a	1,679	n/a	see § 679.20(a)(7)(i)(B)	n/a
AI non-CDQ TAC	n/a	14,016	n/a	n/a	n/a
Western Aleutian Island Limit	n/a	4,018	n/a	n/a	n/a
Total BSAI non-CDQ TAC <sup>1</sup>	100	182,021	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	110,669	n/a	n/a	n/a
Hook-and-line/pot ICA <sup>2</sup>	n/a	400	n/a	see § 679.20(a)(7)(ii)(B)	n/a
Hook-and-line/pot sub-total	n/a	110,269	n/a	n/a	n/a
Hook-and-line catcher/processor	48.7	n/a	88,324	Jan 1-Jun 10	45,045
				Jun 10-Dec 31	43,279
Hook-and-line catcher vessel ≥ 60 ft LOA	0.2	n/a	363	Jan 1-Jun 10	185
				Jun 10-Dec 31	178
Pot catcher/processor	1.5	n/a	2,720	Jan 1-Jun 10	1,387
				Sept 1-Dec 31	1,333
Pot catcher vessel ≥ 60 ft LOA	8.4	n/a	15,235	Jan 1-Jun 10	7,770
				Sept 1-Dec 31	7,465
Catcher vessel < 60 ft LOA using hook-and-line or pot gear	2	n/a	3,627	n/a	n/a
Trawl catcher vessel	22.1	40,227	n/a	Jan 20-Apr 1	29,768
				Apr 1-Jun 10	4,425
				Jun 10-Nov 1	6,034
AFA trawl catcher/processor	2.3	4,186	n/a	Jan 20-Apr 1	3,140
				Apr 1- Jun 10	1,047
				Jun 10-Nov 1	0
Amendment 80	13.4	24,391	n/a	Jan 20-Apr 1	18,293
				Apr 1- Jun 10	6,098
				Jun 10-Nov 1	0
Jig	1.4	2,548	n/a	Jan 1-Apr 30	1,529
				Apr 30-Aug 31	510
				Aug 31-Dec 31	510

<sup>1</sup> The gear shares and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after the subtraction of CDQ. If the TAC for Pacific cod in either the AI or BS is reached, then directed fishing for Pacific cod in that subarea may be prohibited, even if a BSAI allowance remains.

<sup>2</sup> The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 400 mt for 2018 based on anticipated incidental catch in these fisheries.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 9—FINAL 2019 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Gear sector	Percent	2019 share of gear sector total	2019 share of sector total	2019 seasonal apportionment	
				Seasons	Amount
BS TAC	n/a	159,120	n/a	n/a	n/a
BS CDQ	n/a	17,026	n/a	see § 679.20(a)(7)(i)(B)	n/a
BS non-CDQ TAC	n/a	142,094	n/a	n/a	n/a
AI TAC	n/a	15,695	n/a	n/a	n/a
AI CDQ	n/a	1,679	n/a	see § 679.20(a)(7)(i)(B)	n/a
AI non-CDQ TAC	n/a	14,016	n/a	n/a	n/a
Western Aleutian Island Limit	n/a	4,018	n/a	n/a	n/a
Total BSAI non-CDQ TAC <sup>1</sup>	n/a	156,110	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	94,915	n/a	n/a	n/a
Hook-and-line/pot ICA <sup>2</sup>	n/a	400	n/a	see § 679.20(a)(7)(ii)(B)	n/a
Hook-and-line/pot sub-total	n/a	94,515	n/a	n/a	n/a
Hook-and-line catcher/processor	48.7	n/a	75,705	Jan 1-Jun 10	38,610
				Jun 10-Dec 31	37,095
Hook-and-line catcher vessel ≥ 60 ft LOA	0.2	n/a	311	Jan 1-Jun 10	159
				Jun 10-Dec 31	152
Pot catcher/processor	1.5	n/a	2,332	Jan 1-Jun 10	1,189
				Sept 1-Dec 31	1,143
Pot catcher vessel ≥ 60 ft LOA	8.4	n/a	13,058	Jan 1-Jun 10	6,660
				Sept 1-Dec 31	6,398
Catcher vessel < 60 ft LOA using hook-and-line or pot gear	2	n/a	3,109	n/a	n/a
Trawl catcher vessel	22.1	34,500	n/a	Jan 20-Apr 1	25,530
				Apr 1-Jun 10	3,795
				Jun 10-Nov 1	5,175
AFA trawl catcher/processor	2.3	3,591	n/a	Jan 20-Apr 1	2,693
				Apr 1- Jun 10	898
				Jun 10-Nov 1	0
Amendment 80	13.4	20,919	n/a	Jan 20-Apr 1	15,689
				Apr 1- Jun 10	5,230
				Jun 10-Dec 31	0
Jig	1.4	2,186	n/a	Jan 1-Apr 30	1,311
				Apr 30-Aug 31	437
				Aug 31-Dec 31	437

<sup>1</sup> The gear shares and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after the subtraction of CDQ. If the TAC for Pacific cod in either the AI or BS is reached, then directed fishing for Pacific cod in that subarea may be prohibited, even if a BSAI allowance remains.

<sup>2</sup> The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 400 mt for 2019 based on anticipated incidental catch in these fisheries.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

Table 9a. 2018 and 2019 BSAI A-season Pacific Cod Allocations and Limits If the Notification and Performance Requirements in § 679.20(a)(7)(viii) Are Met

2018 and 2019 Allocations under Aleutian Islands CV Harvest Set-Aside	Amount (mt)
AI non-CDQ TAC	14,016
AI ICA	2,500
AI DFA	11,516
BS non-CDQ TAC	168,005
BSAI Trawl CV A-Season Allocation	29,768
BSAI Trawl CV A-Season Allocation minus Sector Limitation <sup>1</sup>	24,768
BS Trawl CV A-Season Sector Limitation	5,000
AI CV Harvest Set-Aside <sup>2</sup>	5,000
AI Unrestricted Fishery <sup>3</sup>	6,516

<sup>1</sup> This is the amount of the BSAI trawl CV A-season allocation that may be harvested in the Bering Sea prior to March 21, 2018, unless the BS Trawl CV A-Season Sector Limitation is suspended for the remainder of the fishing year because the performance requirements pursuant to § 679.20(a)(7)(viii)(E) were not met.

<sup>2</sup> Prior to March 15, 2018, only catcher vessels that deliver their catch of AI Pacific cod to AI shoreplants for processing may directed fish for that portion of the AI Pacific cod non-CDQ DFA that is specified as the AI CV Harvest Set-Aside, unless lifted because the performance requirements pursuant to § 679.20(a)(7)(viii)(E) were not met.

<sup>3</sup> Prior to March 15, 2018, vessels otherwise authorized to directed fish for Pacific cod in the AI may directed fish for that portion of the AI Pacific cod non-CDQ DFA that is specified as the AI Unrestricted Fishery.

### *Sablefish Gear Allocation*

Section 679.20(a)(4)(iii) and (iv) require allocation of the sablefish TAC for the Bering Sea and Aleutian Islands subareas between trawl and hook-and-line or pot gear sectors. Gear allocations of the TAC for the BS are 50 percent for trawl gear and 50 percent for hook-and-line or pot gear. Gear allocations of the TAC for the AI are 25 percent for trawl gear and 75 percent for hook-and-line or pot gear.

Section 679.20(b)(1)(ii)(B) requires NMFS to apportion 20 percent of the hook-and-line or pot gear allocation of sablefish to the CDQ reserve for each subarea. Also,

§ 679.20(b)(1)(ii)(D)(I) requires that 7.5 percent of the trawl gear allocation of sablefish from the non-specified reserves, established under § 679.20(b)(1)(i), be assigned to the CDQ reserve. The Council recommended that only trawl sablefish TAC be established biennially. The harvest specifications for the hook-and-line gear or pot gear sablefish Individual Fishing Quota (IFQ) fisheries are limited to the 2018 fishing year to ensure those fisheries are conducted concurrently with the halibut IFQ fishery. Concurrent sablefish and halibut IFQ fisheries reduce the potential for discards of halibut and sablefish in those fisheries. The sablefish IFQ fisheries remain closed at the beginning of each fishing year until the final harvest specifications for the sablefish IFQ fisheries are in effect. Table 10 lists the 2018 and 2019 gear allocations of the sablefish TAC and CDQ reserve amounts.

TABLE 10—FINAL 2018 AND 2019 GEAR SHARES AND CDQ RESERVE OF BSAI SABLEFISH TACS

[Amounts are in metric tons]

Subarea and gear	Percent of TAC	2018 Share of TAC	2018 ITAC	2018 CDQ reserve	2019 Share of TAC	2019 ITAC	2019 CDQ reserve
Bering Sea							
Trawl <sup>1</sup>	50	732	622	55	1,031	876	77
Hook-and-line/pot gear <sup>2</sup>	50	732	586	146	n/a	n/a	n/a
TOTAL	100	1,464	1,208	201	1,031	876	77
Aleutian Islands							
Trawl <sup>1</sup>	25	497	422	37	700	595	52
Hook-and-line/pot gear <sup>2</sup>	75	1,491	1,193	298	n/a	n/a	n/a
TOTAL	100	1,988	1,615	335	700	595	52

<sup>1</sup> Except for the sablefish hook-and-line and pot gear allocation, 15 percent of TAC is apportioned to the non-specific reserve (§ 679.20(b)(1)(i)). The ITAC is the remainder of the TAC after the subtracting these reserves.

<sup>2</sup> For the portion of the sablefish TAC allocated to vessels using hook-and-line or pot gear, 20 percent of the allocated TAC is reserved for use by CDQ participants (§ 679.20(b)(1)(ii)(B)). The Council recommended that specifications for the hook-and-line gear sablefish IFQ fisheries be limited to one year.

Note: Sector apportionments may not total precisely due to rounding.

*Allocation of the Aleutian Islands Pacific Ocean Perch, and BSAI Flathead Sole, Rock Sole, and Yellowfin Sole TACs*

Section 679.20(a)(10)(i) and (ii) require that NMFS allocate Aleutian Islands Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole ITAC between the Amendment 80 sector and the BSAI trawl limited access sector, after subtracting 10.7 percent for the CDQ reserve and an ICA for the BSAI trawl limited access sector and vessels using non-trawl gear. The allocation of the ITAC for Aleutian Islands Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole to the Amendment 80 sector is established in accordance with Tables 33 and 34 to 50 CFR part 679 and § 679.91.

One Amendment 80 cooperative has formed for the 2018 fishing year. The 2019 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018. Tables 11 and 12 list the 2018 and 2019 allocations of the Aleutian Islands Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole TACs.

TABLE 11—FINAL 2018 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH, AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	9,000	7,500	9,000	14,500	47,100	154,000
CDQ	963	803	963	1,552	5,040	16,478
ICA	100	120	10	4,000	6,000	4,000
BSAI trawl limited access	794	658	161	0	0	18,351
Amendment 80	7,143	5,920	7,866	8,949	36,060	115,171

**Note:** Sector apportionments may not total precisely due to rounding.



TABLE 12—FINAL 2019 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH, AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	9,715	7,549	9,117	16,500	49,100	156,000
CDQ	1,040	808	976	1,766	5,254	16,692
ICA	100	120	10	4,000	6,000	4,000
BSAI trawl limited access	858	662	163	0	0	19,065
Amendment 80 <sup>1</sup>	7,718	5,959	7,969	10,735	37,846	116,243

<sup>1</sup>The 2019 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018. NMFS will publish 2019 Amendment 80 allocations when they become available in December 2018.

**Note:** Sector apportionments may not total precisely due to rounding.

Section 679.2 defines the ABC surplus for flathead sole, rock sole, and yellowfin sole as the difference between the annual ABC and TAC for each species. Section 679.20(b)(1)(iii) establishes ABC reserves for flathead sole, rock sole, and yellowfin sole. The ABC surpluses and the ABC reserves are necessary to mitigate the operational variability, environmental conditions, and economic factors that may constrain the CDQ groups and the Amendment 80 cooperatives from achieving, on a continuing basis, the optimum yield in the BSAI groundfish fisheries. NMFS, after consultation with the Council, may set the ABC reserve at or below the ABC surplus for each species thus maintaining the TAC below ABC limits. An amount equal to 10.7 percent of the ABC reserves will be allocated as CDQ ABC reserves for flathead sole, rock sole, and yellowfin sole. Section 679.31(b)(4) establishes the annual allocations of CDQ ABC reserves among the CDQ groups. The Amendment 80 ABC reserves shall be the ABC reserves minus the CDQ ABC reserves. Section 679.91(i)(2) establishes each Amendment 80 cooperative ABC reserve to be the ratio of each cooperatives' quota share units and the total Amendment 80 quota share units, multiplied by the Amendment 80 ABC reserve for each respective species. Table 13 lists the 2018 and 2019 ABC surplus and ABC reserves for BSAI flathead sole, rock sole, and yellowfin sole.

TABLE 13–FINAL 2018 AND 2019 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]

Sector	2018 Flathead sole	2018 Rock sole	2018 Yellowfin sole	2019 <sup>1</sup> Flathead sole	2019 <sup>1</sup> Rock sole	2019 <sup>1</sup> Yellowfin sole
ABC	66,773	143,100	277,500	65,227	132,000	267,500
TAC	14,500	47,100	154,000	16,500	49,100	156,000
ABC surplus	52,273	96,000	123,500	48,727	82,900	111,500
ABC reserve	52,273	96,000	123,500	48,727	82,900	111,500
CDQ ABC reserve	5,593	10,272	13,215	5,214	8,870	11,931
Amendment 80 ABC reserve	46,680	85,728	110,286	43,513	74,030	99,570

<sup>1</sup> The 2019 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018.

*PSC Limits for Halibut, Salmon, Crab, and Herring*

Section 679.21(b), (e), (f), and (g) sets forth the BSAI PSC limits. Pursuant to § 679.21(b)(1), the annual BSAI halibut PSC limits total 3,515 mt. Section 679.21(b)(1) allocates 315 mt of the halibut PSC limit as the PSQ reserve for use by the groundfish CDQ program, 1,745 mt of the halibut PSC limit for the Amendment 80 sector, 745 mt of the halibut PSC limit for the BSAI trawl limited access sector, and 710 mt of the halibut PSC limit for the BSAI non-trawl sector.

Section 679.21(b)(1)(iii)(A) and (B) authorize apportionment of the BSAI non-trawl halibut PSC limit into PSC allowances among six fishery categories, and § 679.21(b)(1)(ii)(A) and (B), (e)(3)(i)(B), and (e)(3)(iv) require apportionment of the BSAI trawl limited access halibut and crab PSC limits into PSC allowances among seven fishery categories. Tables 15 and 16 list the fishery PSC allowances for the trawl fisheries, and Table 17 lists the fishery PSC allowances for the non-trawl fisheries.

Pursuant to Section 3.6 of the FMP, the Council recommends, and NMFS agrees, that certain specified non-trawl fisheries be exempt from the halibut PSC limit. As in past years, after consultation with the Council, NMFS exempts pot gear, jig gear, and the sablefish IFQ hook-and-line gear fishery categories from halibut bycatch restrictions for the following reasons: 1) the pot gear fisheries have low halibut bycatch mortality; 2) NMFS estimates halibut mortality for the jig gear fleet to be negligible because of the small size of the fishery and the selectivity of the gear; and 3) the sablefish and halibut IFQ fisheries have low halibut bycatch mortality because the IFQ program requires legal-size halibut to be retained by vessels using hook-and-line gear if a halibut IFQ permit

holder or a hired master is aboard and is holding unused halibut IFQ for that vessel category and the IFQ regulatory area in which the vessel is operating (§ 679.7(f)(11)).

The 2017 total groundfish catch for the pot gear fishery in the BSAI was 46,868 mt, with an associated halibut bycatch mortality of 17 mt. The 2017 jig gear fishery harvested about 13 mt of groundfish. Most vessels in the jig gear fleet are exempt from observer coverage requirements. As a result, observer data are not available on halibut bycatch in the jig gear fishery. However, as mentioned above, NMFS estimates a negligible amount of halibut bycatch mortality because of the selective nature of jig gear and the low mortality rate of halibut caught with jig gear and released.

Under § 679.21(f)(2), NMFS annually allocates portions of either 33,318, 45,000, 47,591, or 60,000 Chinook salmon PSC limits among the AFA sectors, depending on past bycatch performance, on whether Chinook salmon bycatch incentive plan agreements (IPAs) are formed, and on whether NMFS determines it is a low Chinook salmon abundance year. NMFS will determine that it is a low Chinook salmon abundance year when abundance of Chinook salmon in western Alaska is less than or equal to 250,000 Chinook salmon. The State of Alaska provides to NMFS an estimate of Chinook salmon abundance using the 3-System Index for western Alaska based on the Kuskokwim, Unalakleet, and Upper Yukon aggregate stock grouping.

If an AFA sector participates in an approved IPA and has not exceeded its performance standard under § 679.21(f)(6) and if it is not a low Chinook salmon abundance year, then NMFS will allocate a portion of the 60,000 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(A). If no IPA is approved, or if the sector has exceeded its performance standard under § 679.21(f)(6), and it is not a low

abundance year, NMFS will allocate a portion of the 47,591 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(C). If an AFA sector participates in an approved IPA and has not exceeded its performance standard under § 679.21(f)(6) in a low abundance year, then NMFS will allocate a portion of the 45,000 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(B). If no IPA is approved, or if the sector has exceeded its performance standard under § 679.21(f)(6), in a low abundance year, NMFS will allocate a portion of the 33,318 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(D).

NMFS has determined that 2017 was not a low Chinook salmon abundance year based on the State of Alaska's estimate that Chinook salmon abundance in western Alaska is greater than 250,000 Chinook salmon. Therefore, in 2018, the Chinook salmon PSC limit is 60,000 and is allocated to each AFA sector as specified in § 679.21(f)(3)(iii)(A). The AFA sector Chinook salmon PSC limit allocations are seasonally apportioned with 70 percent of the allocation for the A season pollock fishery, and 30 percent of the allocation for the B season pollock fishery (§§ 679.21(f)(3)(i) and 679.23(e)(2)). Additionally, in 2018, the Chinook salmon bycatch performance standard under § 679.21(f)(6) is 47,591 Chinook salmon, allocated to each sector as specified in § 679.21(f)(3)(iii)(C).

The basis for these PSC limits is described in detail in the final rules implementing management measures for Amendment 91 (75 FR 53026, August 30, 2010) and Amendment 110 (81 FR 37534, June 10, 2016). NMFS publishes the approved IPAs, allocations, and reports at

<http://alaskafisheries.noaa.gov/sustainablefisheries/bycatch/default.htm>.

Section 679.21(g)(2)(i) specifies 700 fish as the 2018 and 2019 Chinook salmon PSC limit for the AI pollock fishery. Section 679.21(g)(2)(ii) allocates 7.5 percent, or 53 Chinook salmon, as the AI PSQ reserve for the CDQ program, and allocates the remaining 647 Chinook salmon to the non-CDQ fisheries.

Section 679.21(f)(14)(i) specifies 42,000 fish as the 2018 and 2019 non-Chinook salmon PSC limit for vessels using trawl gear from August 15 through October 14 in the Catcher Vessel Operational Area (CVOA). Section 679.21(f)(14)(ii) allocates 10.7 percent, or 4,494 non-Chinook salmon, in the CVOA as the PSQ reserve for the CDQ program, and allocates the remaining 37,506 non-Chinook salmon in the CVOA as the PSC limit for the non-CDQ fisheries.

PSC limits for crab and herring are specified annually based on abundance and spawning biomass. Section 679.21(e)(3)(i)(A)(I) allocates 10.7 percent from each trawl gear PSC limit specified for crab as a PSQ reserve for use by the groundfish CDQ program.

Based on the 2017 survey data, the red king crab mature female abundance is estimated at 18.5 million mature red king crabs, and the effective spawning biomass is estimated at 39.8 million lbs (18,042 mt). Based on the criteria set out at § 679.21(e)(1)(i), the 2018 and 2019 PSC limit of red king crab in Zone 1 for trawl gear is 97,000 animals. This limit derives from the mature female abundance estimate of more than 8.4 million mature king crab and the effective spawning biomass estimate of more than 14.5 million lbs (6,477 mt) but less than 55 million lbs (24,948 mt).

Section 679.21(e)(3)(ii)(B)(2) establishes criteria under which NMFS must specify an annual red king crab bycatch limit for the Red King Crab Savings Subarea

(RKCSS). The regulations limit the RKCSS red king crab bycatch limit to 25 percent of the red king crab PSC limit, based on the need to optimize the groundfish harvest relative to red king crab bycatch. In December 2017, the Council recommended and NMFS concurs that the red king crab bycatch limit be equal to 25 percent of the red king crab PSC limit within the RKCSS (Table 15).

Based on 2017 survey data, Tanner crab (*Chionoecetes bairdi*) abundance is estimated at 344 million animals. Pursuant to criteria set out at § 679.21(e)(1)(ii), the calculated 2018 and 2019 *C. bairdi* crab PSC limit for trawl gear is 830,000 animals in Zone 1, and 2,520,000 animals in Zone 2. The limit in Zone 1 is based on the abundance of *C. bairdi* estimated at 344 million animals, which is greater than 270 million animals and less than 400 million animals. The limit in Zone 2 is based on the abundance of *C. bairdi* estimated at 344 million animals, which is greater than 290 million animals and less than 400 million animals.

Pursuant to § 679.21(e)(1)(iii), the PSC limit for snow crab (*C. opilio*) is based on total abundance as indicated by the NMFS annual bottom trawl survey. The *C. opilio* crab PSC limit is set at 0.1133 percent of the Bering Sea abundance index minus 150,000 crab. Based on the 2017 survey estimate of 8.182 billion animals, which is above the minimum PSC limit of 4.5 million and below the maximum PSC limit of 13 million animals, the calculated *C. opilio* crab PSC limit is 9,120,539 animals.

Pursuant to § 679.21(e)(1)(v), the PSC limit of Pacific herring caught while conducting any trawl operation for BSAI groundfish is 1 percent of the annual eastern Bering Sea herring biomass. The best estimate of 2018 and 2019 herring biomass is 183,017 mt. This amount was developed by the Alaska Department of Fish and Game



based on biomass for spawning aggregations. Therefore, the herring PSC limit for 2018 and 2019 is 1,830 mt for all trawl gear as listed in Tables 14 and 15.

Section 679.21(e)(3)(i)(A) requires crab PSQ reserves to be subtracted from the total trawl gear crab PSC limits. The 2018 crab and halibut PSC limits assigned to the Amendment 80 and BSAI trawl limited access sectors are specified in Table 35 to 50 CFR part 679. The resulting allocations of PSC limit to CDQ PSQ reserves, the Amendment 80 sector, and the BSAI trawl limited access sector are listed in Table 14. Pursuant to §§ 679.21(b)(1)(i), 679.21(e)(3)(vi), and 679.91(d) through (f), crab and halibut trawl PSC limits assigned to the Amendment 80 sector are then further allocated to Amendment 80 cooperatives as cooperative quota. Crab and halibut PSC cooperative quota assigned to Amendment 80 cooperatives is not allocated to specific fishery categories. In 2018, there are no vessels in the Amendment 80 limited access sector and one Amendment 80 cooperative. The 2019 PSC allocations between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2018. Section 679.21(e)(3)(i)(B) requires NMFS to apportion each trawl PSC limit for crab and herring not assigned to Amendment 80 cooperatives into PSC bycatch allowances for seven specified fishery categories in § 679.21(e)(3)(iv).

Section 679.21(b)(2) and (e)(5) authorizes NMFS, after consulting with the Council, to establish seasonal apportionments of PSC amounts for the BSAI trawl limited access and non-trawl sectors in order to maximize the ability of the fleet to harvest the available groundfish TAC and to minimize bycatch. The factors to be considered are 1) seasonal distribution of prohibited species, 2) seasonal distribution of target groundfish

species relative to prohibited species distribution, 3) PSC bycatch needs on a seasonal basis relevant to prohibited species biomass and expected catches of target groundfish species, 4) expected variations in bycatch rates throughout the year, 5) expected changes in directed groundfish fishing seasons, 6) expected start of fishing effort, and 7) economic effects of establishing seasonal prohibited species apportionments on segments of the target groundfish industry. The Council recommended and NMFS approves the seasonal PSC apportionments in Tables 16 and 17 to maximize harvest among gear types, fisheries, and seasons while minimizing bycatch of PSC based on the above criteria.

TABLE 14—FINAL 2018 AND 2019 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area <sup>1</sup>	Total PSC	Non-trawl PSC	CDQ PSQ reserve <sup>2</sup>	Trawl PSC remaining after CDQ PSQ	Amendment 80 sector <sup>3</sup>	BSAI trawl limited access fishery
Halibut mortality (mt) BSAI	3,515	710	315	n/a	1,745	745
Herring (mt) BSAI	1,830	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	97,000	n/a	10,379	86,621	43,293	26,489
<i>C. opilio</i> (animals) COBLZ	9,120,539	n/a	975,898	8,144,641	4,003,091	2,617,688
<i>C. bairdi</i> crab (animals) Zone 1	830,000	n/a	88,810	741,190	312,115	348,285
<i>C. bairdi</i> crab (animals) Zone 2	2,520,000	n/a	269,640	2,250,360	532,660	1,053,394

<sup>1</sup> Refer to § 679.2 for definitions of zones.

<sup>2</sup> The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

<sup>3</sup> The Amendment 80 program reduced apportionment of the trawl PSC limits for crab below the total PSC limit. These reductions are not apportioned to other gear types or sectors.

TABLE 15–FINAL 2018 AND 2019 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery Categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	80	n/a
Rock sole/flathead sole/other flatfish <sup>1</sup>	39	n/a
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	5	n/a
Rockfish	5	n/a
Pacific cod	9	n/a
Midwater trawl pollock	1,662	n/a
Pollock/Atka mackerel/other species <sup>2,3</sup>	30	n/a
Red king crab savings subarea non-pelagic trawl gear <sup>4</sup>	n/a	24,250
Total trawl PSC	1,830	97,000

<sup>1</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

<sup>2</sup> Pollock other than pelagic trawl pollock, Atka mackerel, and “other species” fishery category.

<sup>3</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

<sup>4</sup> In December 2017, the Council recommended and NMFS concurs that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

**Note:** Species apportionments may not total precisely due to rounding.

TABLE 16–FINAL 2018 AND 2018 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR

BSAI trawl limited access fisheries	Prohibited species and area <sup>1</sup>				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	<i>C. opilio</i> (animals) COBLZ	<i>C. bairdi</i> (animals)	
				Zone 1	Zone 2
Yellowfin sole	150	23,338	2,467,662	293,234	1,005,879
Rock sole/flathead sole/other flatfish <sup>2</sup>	0	0	0	0	0
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	0	0	0	0	0
Rockfish April 15 - December 31	4	0	4,076	0	849
Pacific cod	391	2,954	105,182	50,816	42,424
Pollock/Atka mackerel/other species <sup>3</sup>	200	197	40,768	4,235	4,243
Total BSAI trawl limited access PSC	745	26,489	2,617,688	348,285	1,053,395

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 17–FINAL 2018 AND 2019 HALIBUT PROHIBITED SPECIES BYCATCH ALLOWANCES  
FOR NON-TRAWL FISHERIES

Halibut mortality (mt) BSAI				
Non-trawl fisheries	Seasons	Catcher/processor	Catcher vessel	All Non-Trawl
Pacific cod	Total Pacific cod	648	13	661
	January 1-June 10	388	9	n/a
	June 10-August 15	162	2	n/a
	August 15-December 31	98	2	n/a
Non-Pacific cod non-trawl-Total	May 1-December 31	n/a	n/a	49
Groundfish pot and jig	n/a	n/a	n/a	Exempt
Sablefish hook-and-line	n/a	n/a	n/a	Exempt
Total for all non-trawl PSC	n/a	n/a	n/a	710

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

### *Estimates of Halibut Biomass and Stock Condition*

The International Pacific Halibut Commission (IPHC) annually assesses the abundance and potential yield of the Pacific halibut stock using all available data from the commercial and sport fisheries, other removals, and scientific surveys. Additional information on the Pacific halibut stock assessment may be found in the IPHC's 2017 Pacific halibut stock assessment (December 2017), available on the IPHC Web site at [www.iphc.int](http://www.iphc.int). The IPHC considered the 2017 Pacific halibut stock assessment at its January 2018 annual meeting when it set the 2018 commercial halibut fishery catch limits.

### *Halibut Discard Mortality Rates*

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut incidental catch rates, halibut discard mortality rates (DMRs), and estimates of groundfish catch to project when a fishery's halibut bycatch mortality allowance or seasonal apportionment is reached. Halibut incidental catch rates are based on observers' estimates of halibut incidental catch in the groundfish fishery. DMRs are estimates of the proportion of incidentally caught halibut that do not survive after being returned to the sea. The cumulative halibut mortality that accrues to a particular halibut PSC limit is the product of a DMR multiplied by the estimated halibut PSC. DMRs are estimated using the best scientific information available in conjunction with the annual BSAI stock assessment process. The DMR methodology and findings are included as an appendix to the annual BSAI groundfish SAFE report.

In 2016, the DMR estimation methodology underwent revisions per the Council's directive. An interagency halibut working group (IPHC, Council, and NMFS staff) developed improved estimation methods that have undergone review by the Plan Team, SSC, and the Council. A summary of the revised methodology is included in the BSAI proposed 2017 and 2018 harvest specifications (81 FR 87863, December 6, 2016), and the comprehensive discussion of the working group's statistical methodology is available from the Council (see **ADDRESSES**). The DMR working group's revised methodology is intended to improve estimation accuracy as well as transparency and transferability in the methodology used for calculating DMRs. The working group will continue to consider improvements to the methodology used to calculate halibut mortality, including potential changes to the reference period (the period of data used for calculating the DMRs). Future DMRs, including the 2019 DMRs, may change based on an additional year of observer sampling that could provide more recent and accurate data and could improve the accuracy of estimation and progress on methodology. The new methodology will continue to ensure that NMFS is using DMRs that more accurately reflect halibut mortality, which will inform the different sectors of their estimated halibut mortality and allow specific sectors to respond with methods that could reduce mortality and, eventually, the DMR for that sector.

At the December 2017 meeting, the SSC, AP, and Council reviewed and concurred in the revised DMRs. For 2018 and 2019, the Council recommended and NMFS adopts the halibut DMRs derived from this revised process. The final 2018 and 2019 DMRs are unchanged from the DMRs proposed in the 2018 and 2019 harvest



specifications (82 FR 57906, December 8, 2017). Table 18 lists the final 2018 and 2019 DMRs.

TABLE 18—2018 AND 2019 PACIFIC HALIBUT DISCARD MORTALITY RATES FOR THE BSAI

Gear	Sector	Halibut discard mortality rate (percent)
Pelagic trawl	All	100
Non-pelagic trawl	Mothership and catcher/processor	84
Non-pelagic trawl	Catcher vessel	60
Hook-and-line	Catcher/processor	8
Hook-and-line	Catcher vessel	17
Pot	All	9

### *Directed Fishing Closures*

In accordance with § 679.20(d)(1)(i), the Regional Administrator may establish a DFA for a species or species group if the Regional Administrator determines that any allocation or apportionment of a target species has been or will be reached. If the Regional Administrator establishes a DFA, and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified subarea, regulatory area, or district (see § 679.20(d)(1)(iii)). Similarly, pursuant to § 679.21(b)(4) and (e)(7), if the Regional Administrator determines that a fishery category's bycatch allowance of halibut, red king crab, *C. bairdi* crab, or *C. opilio* crab for a specified area has been reached, the Regional Administrator will prohibit directed fishing for each species or species group in that fishery category in the area specified by regulation for the remainder of the fishing year.

Based on historic catch patterns and anticipated fishing activity, the Regional Administrator has determined that the groundfish allocation amounts in Table 19 will be necessary as incidental catch to support other anticipated groundfish fisheries for the 2018 and 2019 fishing years. Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the DFA for the species and species groups in Table 19 as zero mt. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing for these sectors and species or species groups in the specified areas effective at 1200 hrs, A.l.t., [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*], through 2400 hrs, A.l.t., December 31, 2019. Also, for the BSAI trawl limited access sector, bycatch allowances of halibut, red king crab, *C. bairdi* crab, and *C. opilio* crab listed in Table 19 are insufficient to support directed fisheries. Therefore, in

accordance with § 679.21(b)(4)(i) and (e)(7), NMFS is prohibiting directed fishing for these sectors, species, and fishery categories in the specified areas effective at 1200 hrs, A.l.t., [*INSERT DATE OF PUBLICATION IN THE **FEDERAL REGISTER***], through 2400 hrs, A.l.t., December 31, 2019.

TABLE 19—2018 AND 2018 DIRECTED FISHING CLOSURES<sup>1</sup>

[Groundfish and halibut amounts are in metric tons. Crab amounts are in number of animals.]

Area	Sector	Species	2018 Incidental Catch Allowance	2019 Incidental Catch Allowance
Bogoslof District	All	Pollock	450	500
Aleutian Islands subarea	All	ICA pollock	2,400	2,400
		"Other rockfish" <sup>2</sup>	570	570
Eastern Aleutian District/Bering Sea	Non-amendment 80, CDQ, and BSAI trawl limited access	ICA Atka mackerel	800	800
Eastern Aleutian District/Bering Sea	All	Blackspotted/Rougheye rockfish	75	75
Eastern Aleutian District	Non-amendment 80, CDQ, and BSAI trawl limited access	ICA Pacific ocean perch	100	100
Central Aleutian District	Non-amendment 80, CDQ, and BSAI trawl limited access	ICA Atka mackerel	75	75
		ICA Pacific ocean perch	60	60
Western Aleutian District	Non-amendment 80, CDQ and BSAI trawl limited access	ICA Atka mackerel	20	20
		ICA Pacific ocean perch	10	10
Western and Central Aleutian Districts	All	Blackspotted/Rougheye rockfish	150	150
Bering Sea subarea	All	Pacific ocean perch	10,082	9,774
		"Other rockfish" <sup>2</sup>	275	275
		ICA pollock	47,888	48,543
Bering Sea and Aleutian Islands	All	Northern rockfish	5,185	5,525
		Shortraker rockfish	150	150
		Skates	22,950	22,950
		Sculpins	4,250	4,250
		Sharks	180	180
		Squids	1,020	1,020
		Octopuses	250	200
	Hook-and-line and pot gear	ICA Pacific cod	400	400
	Non-amendment 80 and CDQ	ICA flathead sole	4,000	4,000
		ICA rock sole	6,000	6,000
	Non-amendment 80, CDQ, and BSAI trawl limited access	ICA yellowfin sole	4,000	4,000
	BSAI trawl limited access	Rock sole/flathead sole/other flatfish - halibut mortality, red king crab Zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2	0	0
		Turbot/arrowtooth/sablefish - halibut mortality, red king crab Zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2	0	0
		Rockfish - red king crab Zone 1	0	0

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.<sup>2</sup>"Other rockfish" includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, shortraker rockfish, and blackspotted/rougheye rockfish.

Closures implemented under the final 2017 and 2018 BSAI harvest specifications for groundfish (82 FR 11826, February 27, 2017) remain effective under authority of these final 2018 and 2019 harvest specifications and until the date specified in those notices. Closures are posted at the following websites:

*[http://alaskafisheries.noaa.gov/cm/info\\_bulletins/](http://alaskafisheries.noaa.gov/cm/info_bulletins/) and*

*[http://alaskafisheries.noaa.gov/fisheries\\_reports/reports/](http://alaskafisheries.noaa.gov/fisheries_reports/reports/).* While these closures are in effect, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a fishing trip. These closures to directed fishing are in addition to closures and prohibitions found at 50 CFR part 679.

#### *Listed AFA Catcher/Processor Sideboard Limits*

Pursuant to § 679.64(a), the Regional Administrator is responsible for restricting the ability of listed AFA C/Ps to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA and from fishery cooperatives in the pollock directed fishery. These restrictions are set out as sideboard limits on catch. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007). Table 20 lists the 2018 and 2019 AFA C/P groundfish sideboard limits. Section 679.64(a)(1)(v) exempts AFA catcher/processors from a yellowfin sole sideboard limit because the 2018 and 2019 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is greater than 125,000 mt.

All harvest of groundfish sideboard species by listed AFA C/Ps, whether as targeted catch or incidental catch, will be deducted from the sideboard limits in Table 20.

However, groundfish sideboard species that are delivered to listed AFA C/Ps by CVs will not be deducted from the 2018 and 2019 sideboard limits for the listed AFA C/Ps.

TABLE 20—FINAL 2018 AND 2019 LISTED BSAI AMERICAN FISHERIES ACT  
CATCHER/PROCESSOR GROUND FISH SIDEBOARD LIMITS

[Amounts are in metric tons]

Target species	Area/season	1995 - 1997			2018 ITAC available to trawl C/PS <sup>1</sup>	2018 AFA C/P sideboard limit	2019 ITAC available to trawl C/PS <sup>1</sup>	2019 AFA C/P sideboard limit
		Retained catch	Total catch	Ratio of retained catch to total catch				
Sablefish trawl	BS	8	497	0.016	622	10	876	14
	AI	0	145	0	422	0	595	0
Atka mackerel	Central AI A season <sup>2</sup>	n/a	n/a	0.115	9,377	1,078	11,116	1,278
	Central AI B season <sup>2</sup>	n/a	n/a	0.115	9,377	1,078	11,116	1,278
	Western AI A season <sup>2</sup>	n/a	n/a	0.2	6,028	1,206	6,173	1,235
	Western AI B season <sup>2</sup>	n/a	n/a	0.2	6,028	1,206	6,173	1,235
Rock sole	BSAI	6,317	169,362	0.037	42,060	1,556	43,846	1,622
Greenland turbot	BS	121	17,305	0.007	4,356	30	4,356	30
	AI	23	4,987	0.005	144	1	144	1
Arrowtooth flounder	BSAI	76	33,987	0.002	11,578	23	11,900	24
Kamchatka flounder	BSAI	76	33,987	0.002	4,250	9	4,250	9
Flathead sole	BSAI	1,925	52,755	0.036	12,949	466	14,735	530
Alaska plaice	BSAI	14	9,438	0.001	13,685	14	13,814	14
Other flatfish	BSAI	3,058	52,298	0.058	3,400	197	3,400	197
Pacific ocean perch	BS	12	4,879	0.002	10,082	20	9,774	20
	Eastern AI	125	6,179	0.02	8,037	161	8,675	174
	Central AI	3	5,698	0.001	6,698	7	6,741	7
	Western AI	54	13,598	0.004	8,037	32	8,141	33
Northern rockfish	BSAI	91	13,040	0.007	5,185	36	5,525	39
Shortraker rockfish	BSAI	50	2,811	0.018	150	3	150	3
Blackspotted/Rougheye rockfish	BS/EAI	50	2,811	0.018	75	1	75	1
	CAI/WAI	50	2,811	0.018	150	3	150	3
Other rockfish	BS	18	621	0.029	275	8	275	8
	AI	22	806	0.027	570	15	570	15
Skates	BSAI	553	68,672	0.008	22,950	184	22,950	184
Sculpins	BSAI	553	68,672	0.008	4,250	34	4,250	34
Sharks	BSAI	553	68,672	0.008	180	1	180	1
Squids	BSAI	73	3,328	0.022	1,020	22	1,020	22
Octopuses	BSAI	553	68,672	0.008	250	2	200	2

<sup>1</sup> Aleutian Islands Pacific ocean perch, and BSAI Atka mackerel, flathead sole, and rock sole are multiplied by the remainder of the TAC for each species after the subtraction of the CDQ reserve under § 679.20(b)(1)(ii)(C).

<sup>2</sup> The seasonal apportionment of Atka mackerel in the open access fishery is 50 percent in the A season and 50 percent in the B season. Listed AFA catcher/processors are limited to harvesting no more than zero in the Eastern Aleutian District and Bering Sea subarea, 20 percent of the annual ITAC specified for the Western Aleutian District, and 11.5 percent of the annual ITAC specified for the Central Aleutian District.



Section 679.64(a)(2) and Tables 40 and 41 of 50 CFR part 679 establish a formula for calculating PSC sideboard limits for halibut and crab caught by listed AFA C/Ps. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007).

PSC species listed in Table 21 that are caught by listed AFA C/Ps participating in any groundfish fishery other than pollock will accrue against the 2018 and 2019 PSC sideboard limits for the listed AFA C/Ps. Section 679.21(b)(4)(iii), (e)(3)(v), and (e)(7) authorizes NMFS to close directed fishing for groundfish other than pollock for listed AFA C/Ps once a 2018 or 2019 PSC sideboard limit listed in Table 21 is reached.

Pursuant to § 679.21(b)(1)(ii)(C) and (e)(3)(ii)(C), halibut or crab PSC caught by listed AFA C/Ps while fishing for pollock will accrue against the bycatch allowances annually specified for the pollock/Atka mackerel/“other species” fishery categories under § 679.21(b)(1)(ii)(B) and (e)(3)(iv).

TABLE 21—FINAL 2018 AND 2019 BSAI AFA LISTED CATCHER/PROCESSOR PROHIBITED SPECIES CATCH SIDEBOARD LIMITS

PSC species and area <sup>1</sup>	Ratio of PSC catch to total PSC	2018 and 2019 PSC available to trawl vessels after subtraction of PSQ <sup>2</sup>	2018 and 2019 AFA catcher/processor sideboard limit <sup>2</sup>
Halibut mortality BSAI	n/a	n/a	286
Red king crab zone 1	0.007	86,621	606
<i>C. opilio</i> (COBLZ)	0.153	8,144,641	1,246,130
<i>C. bairdi</i> Zone 1	0.140	741,190	103,767
<i>C. bairdi</i> Zone 2	0.050	2,250,360	112,518

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.

### *AFA Catcher Vessel Sideboard Limits*

Pursuant to § 679.64(b), the Regional Administrator is responsible for restricting the ability of AFA CVs to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA and from fishery cooperatives in the pollock directed fishery. Section 679.64(b)(3) and (4) establishes a formula for setting AFA CV groundfish and halibut and crab PSC sideboard limits for the BSAI. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007). Section 679.64(b)(6) exempts AFA CVs from a yellowfin sole sideboard limit because the 2018 and 2019 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is greater than 125,000 mt. Tables 22 and 23 list the 2018 and 2019 AFA CV sideboard limits.

All catch of groundfish sideboard species made by non-exempt AFA CVs, whether as targeted catch or incidental catch, will be deducted from the 2018 and 2019 sideboard limits listed in Table 22.

Halibut and crab PSC limits listed in Table 23 that are caught by AFA CVs participating in any groundfish fishery for groundfish other than pollock will accrue against the 2018 and 2019 PSC sideboard limits for the AFA CVs. Section 679.21(b)(4)(iii), (e)(3)(v), and (e)(7) authorizes NMFS to close directed fishing for groundfish other than pollock for AFA CVs once a 2018 or 2019 PSC sideboard limit listed in Table 23 is reached. Pursuant to § 679.21(b)(1)(ii)(C) and (e)(3)(ii)(C), the PSC that is caught by AFA CVs while fishing for pollock in the BSAI will accrue against the bycatch allowances annually specified for the pollock/Atka mackerel/“other species” fishery categories under § 679.21(b)(1)(ii)(B) and (e)(3)(iv).

TABLE 22—FINAL 2018 AND 2019 AMERICAN FISHERIES ACT CATCHER VESSEL BSAI GROUND FISH SIDEBOARD LIMITS

[Amounts are in metric tons]

Species/gear	Fishery by area/season	Ratio of 1995-1997 AFA CV catch to 1995-1997 TAC	2018 initial TAC <sup>1</sup>	2018 AFA catcher vessel sideboard limits	2019 initial TAC <sup>1</sup>	2019 AFA catcher vessel sideboard limits
Pacific cod/Hook-and-line CV $\geq$ 60 feet LOA	BSAI Jan 1 - Jun 10	0.0006	185	0	159	0
	BSAI Jun 10 - Dec 31	0.0006	178	0	152	0
Pacific cod pot gear CV	BSAI Jan 1 - Jun 10	0.0006	7,770	5	6,660	4
	BSAI Sept 1 - Dec 31	0.0006	7,465	4	6,398	4
Pacific cod CV $\leq$ 60 feet LOA using hook-and-line or pot gear	BSAI	0.0006	3,627	2	3,109	2
Pacific cod trawl gear CV	BSAI Jan 20 - Apr 1	0.8609	29,768	25,627	25,530	21,979
	BSAI Apr 1 - Jun 10	0.8609	4,425	3,809	3,795	3,267
	BSAI Jun 10 - Nov 1	0.8609	6,034	5,195	5,175	4,455
Sablefish trawl gear	BS	0.0906	622	56	876	79
	AI	0.0645	422	27	595	38
Atka mackerel	Eastern AI/BS Jan 1 - Jun 10	0.0032	16,298	52	15,083	48
	Eastern AI/BS Jun 10 - Nov 1	0.0032	16,298	52	15,083	48
	Central AI Jan 1 - Jun 10	0.0001	9,377	1	11,116	1
	Central AI Jun 10 - Nov 1	0.0001	9,377	1	11,116	1
	Western AI Jan 1 - Jun 10	0	6,028	0	6,173	0
	Western AI Jun 10 - Nov 1	0	6,028	0	6,173	0
Rock sole	BSAI	0.0341	42,060	1,434	43,846	1,495
Greenland turbot	BS	0.0645	4,356	281	4,356	281
	AI	0.0205	144	3	144	3
Arrowtooth flounder	BSAI	0.069	11,578	799	11,900	821
Kamchatka flounder	BSAI	0.069	4,250	293	4,250	293
Alaska plaice	BSAI	0.0441	13,685	604	13,814	609
Other flatfish	BSAI	0.0441	3,400	150	3,400	150
Flathead sole	BS	0.0505	12,949	654	14,735	744
Pacific ocean perch	BS	0.1	10,082	1,008	9,774	977
	Eastern AI	0.0077	8,037	62	8,675	67
	Central AI	0.0025	6,698	17	6,741	17
	Western AI	0	8,037	0	8,141	0
Northern rockfish	BSAI	0.0084	5,185	44	5,525	46
Shortraker rockfish	BSAI	0.0037	150	1	150	1
Blackspotted/Rougheye rockfish	BS/EAI	0.0037	75	0	75	0
	CAI/WAI	0.0037	150	1	150	1
Other rockfish	BS	0.0048	275	1	275	1
	AI	0.0095	570	5	570	5
Skates	BSAI	0.0541	22,950	1,242	22,950	1,242
Sculpins	BSAI	0.0541	4,250	230	4,250	230
Sharks	BSAI	0.0541	180	10	180	10
Squids	BSAI	0.3827	1,020	390	1,020	390
Octopuses	BSAI	0.0541	250	14	200	11

<sup>1</sup> Aleutians Islands Pacific ocean perch, and BSAI Atka mackerel, flathead sole, Pacific cod, and rock sole are multiplied by the remainder of the TAC for each species after the subtraction of the CDQ reserve under § 679.20(b)(1)(ii)(C).

TABLE 23—FINAL 2018 AND 2019 AMERICAN FISHERIES ACT CATCHER VESSEL PROHIBITED SPECIES CATCH SIDEBOARD LIMITS FOR THE BSAI<sup>1</sup>

PSC species and area <sup>1</sup>	Target fishery category <sup>2</sup>	AFA catcher vessel PSC sideboard limit ratio	2018 and 2019 PSC limit after subtraction of PSQ reserves <sup>3</sup>	2018 and 2019 AFA catcher vessel PSC sideboard limit <sup>3</sup>
Halibut	Pacific cod trawl	n/a	n/a	887
	Pacific cod hook-and-line or pot	n/a	n/a	2
	Yellowfin sole total	n/a	n/a	101
	Rock sole/flathead sole/other flatfish <sup>4</sup>	n/a	n/a	228
	Greenland turbot/arrowtooth/sablefish <sup>5</sup>	n/a	n/a	0
	Rockfish	n/a	n/a	2
	Pollock/Atka mackerel/other species <sup>6</sup>	n/a	n/a	5
Red king crab Zone 1	n/a	0.299	86,621	25,900
<i>C. opilio</i> COBLZ	n/a	0.168	8,144,641	1,368,300
<i>C. bairdi</i> Zone 1	n/a	0.330	741,190	244,593
<i>C. bairdi</i> Zone 2	n/a	0.186	2,250,360	418,567

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> Target trawl fishery categories are defined at § 679.21(b)(1)(ii)(B) and (e)(3)(iv).

<sup>3</sup> Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.

<sup>4</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>5</sup> Arrowtooth for PSC monitoring includes Kamchatka flounder.

<sup>6</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

*AFA Catcher/Processor and Catcher Vessel Sideboard Directed Fishing Closures*

Based on historical catch patterns, the Regional Administrator has determined that many of the AFA C/P and CV sideboard limits listed in Tables 24 and 25 are necessary as incidental catch to support other anticipated groundfish fisheries for the 2018 and 2019 fishing years. In accordance with § 679.20(d)(1)(iv), the Regional Administrator establishes the sideboard limits listed in Tables 24 and 25 as DFAs. Because many of these DFAs will be reached before the end of 2018, the Regional Administrator has determined, in accordance with § 679.20(d)(1)(iii), that NMFS is prohibiting directed fishing by listed AFA C/Ps for the species in the specified areas set out in Table 24, and prohibiting directed fishing by non-exempt AFA CVs for the species in the specified areas set out in Table 25.

TABLE 24—FINAL 2018 AND 2019 AMERICAN FISHERIES ACT LISTED CATCHER/PROCESSOR  
SIDEBOARD DIRECTED FISHING CLOSURES<sup>1</sup>

[Amounts are in metric tons]

Species	Area	Gear types	2018 sideboard limit	2019 sideboard limit
Sablefish trawl	BS	trawl	10	14
	AI	trawl	0	0
Rock sole	BSAI	all	1,556	1,622
Greenland turbot	BS	all	30	30
	AI	all	1	1
Arrowtooth flounder	BSAI	all	23	24
Kamchatka flounder	BSAI	all	9	9
Alaska plaice	BSAI	all	14	14
Other flatfish <sup>2</sup>	BSAI	all	197	197
Flathead sole	BSAI	all	466	530
Pacific ocean perch	BS	all	20	20
	Eastern AI	all	161	174
	Central AI	all	7	7
	Western AI	all	32	33
Northern rockfish	BSAI	all	36	39
Shortraker rockfish	BSAI	all	3	3
Blackspotted/Rougheye rockfish	BS/EAI	all	1	1
	CAI/WAI	all	3	3
Other rockfish <sup>3</sup>	BS	all	8	8
	AI	all	15	15
Skates	BSAI	all	184	184
Sculpins	BSAI	all	34	34
Sharks	BSAI	all	1	1
Squids	BSAI	all	25	22
Octopuses	BSAI	all	2	2

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.

<sup>2</sup>“Other flatfish” includes all flatfish species, except for halibut, Alaska plaice, flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup>“Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, shortraker rockfish, and blackspotted/rougheye rockfish.



TABLE 25—FINAL 2018 AND 2019 AMERICAN FISHERIES ACT CATCHER VESSEL SIDEBOARD DIRECTED FISHING CLOSURES<sup>1</sup>

[Amounts are in metric tons]

Species	Area	Gear types	2018 sideboard limit	2019 sideboard limit
Pacific cod	BSAI	hook-and-line CV $\geq$ 60 feet LOA	0	0
	BSAI	pot CV $\geq$ 60 feet LOA	9	8
	BSAI	hook-and-line or pot CV $\leq$ 60 feet LOA	2	2
	BSAI	jig	0	0
Sablefish	BS	trawl	56	79
	AI	trawl	27	38
Atka mackerel	Eastern AI/BS	all	104	96
	Central AI	all	2	2
	Western AI	all	0	0
Greenland turbot	BS	all	281	281
	AI	all	3	3
Arrowtooth flounder	BSAI	all	799	821
Kamchatka flounder	BSAI	all	293	293
Alaska plaice	BSAI	all	501	609
Other flatfish <sup>2</sup>	BSAI	all	150	150
Flathead sole	BSAI	all	654	744
Rock sole	BSAI	all	1,434	1,495
Pacific ocean perch	BS	all	1008	977
	Eastern AI	all	62	67
	Central AI	all	17	17
	Western AI	all	0	0
Northern rockfish	BSAI	all	44	46
Shortraker rockfish	BSAI	all	1	1
Blackspotted/Rougheye rockfish	BS/EAI	all	0	0
	CAI/WAI	all	1	1
Other rockfish <sup>3</sup>	BS	all	1	1
	AI	all	5	5
Skates	BSAI	all	1,242	1,242
Sculpins	BSAI	all	230	230
Sharks	BSAI	all	10	10
Squids	BSAI	all	390	390
Octopuses	BSAI	all	14	11

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.

<sup>2</sup>“Other flatfish” includes all flatfish species, except for halibut, Alaska plaice, flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup>“Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, shortraker rockfish, and blackspotted/rougheye rockfish.

## **Response to Comments**

NMFS received no substantive comments during the public comment period for the proposed BSAI groundfish harvest specifications. No changes were made to the final rule in response to the comment letters received.

## **Classification**

NMFS has determined that these final harvest specifications are consistent with the FMP and with the Magnuson-Stevens Act and other applicable laws.

This action is authorized under 50 CFR 679.20 and is exempt from review under Executive Order 12866.

NMFS prepared an EIS that covers this action (see **ADDRESSES**) and made it available to the public on January 12, 2007 (72 FR 1512). On February 13, 2007, NMFS issued the Record of Decision (ROD) for the EIS. In January 2018, NMFS prepared a Supplemental Information Report (SIR) for this action. Copies of the EIS, ROD, and SIR for this action are available from NMFS (see **ADDRESSES**). The EIS analyzes the environmental consequences of the groundfish harvest specifications and alternative harvest strategies on resources in the action area. The EIS found no significant environmental consequences of this action and its alternatives. The SIR evaluates the need to prepare a Supplemental EIS (SEIS) for the 2018 and 2019 groundfish harvest specifications.

An SEIS should be prepared if 1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns; or 2) significant new circumstances or information exist relevant to environmental concerns and bearing on the proposed action or its impacts (40 CFR 1502.9(c)(1)). After reviewing the information

contained in the SIR and SAFE reports, the Regional Administrator has determined that 1) approval of the 2018 and 2019 harvest specifications, which were set according to the preferred harvest strategy in the EIS, does not constitute a substantial change in the action; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the action or its impacts. Additionally, the 2018 and 2019 harvest specifications will result in environmental impacts within the scope of those analyzed and disclosed in the EIS. Therefore, supplemental National Environmental Policy Act documentation is not necessary to implement the 2018 and 2019 harvest specifications.

Section 604 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 604) requires that, when an agency promulgates a final rule under section 553 of Title 5 of the United States Code, after being required by that section, or any other law, to publish a general notice of proposed rulemaking, the agency shall prepare a final regulatory flexibility analysis (FRFA). The following constitutes the FRFA prepared in the final action.

The required contents of a FRFA, as described in section 604, are: 1) a statement of the need for, and objectives of, the rule; 2) a statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis, a statement of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments; 3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments; 4) a description of and an estimate of the number of small entities to which the rule will apply or an

explanation of why no such estimate is available; 5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and 6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.

A description of this action, its purpose, and its legal basis are included at the beginning of the preamble to this final rule and are not repeated here.

NMFS published the proposed rule on December 8, 2017 (82 FR 57906). NMFS prepared an Initial Regulatory Flexibility Analysis (IRFA) to accompany the proposed action, and included a summary in the proposed rule. The comment period closed on January 8, 2018. No comments were received on the IRFA or on the economic impacts of the rule more generally. The Chief Counsel for Advocacy of the Small Business Administration did not file any comments on the proposed rule.

The entities directly regulated by this action are those that harvest groundfish in the exclusive economic zone of the BSAI and in parallel fisheries within State waters. These include entities operating catcher vessels and catcher/processors within the action area and entities receiving direct allocations of groundfish.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see

50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of \$11 million for all its affiliated operations worldwide.

The estimated number of directly regulated small entities in 2016 include approximately 119 catcher vessels, five catcher/processors, and six CDQ groups. Some of these vessels are members of AFA inshore pollock cooperatives, Gulf of Alaska rockfish cooperatives, or BSAI Crab Rationalization Program cooperatives, and, since under the RFA the aggregate gross receipts of all participating members of the cooperative must meet the “under \$11 million” threshold, the cooperatives are considered to be large entities within the meaning of the RFA. Thus, the estimate of 119 catcher vessels may be an overstatement of the number of small entities. Average gross revenues were \$690,000 for small hook-and-line vessels, \$1.25 million for small pot vessels, and \$3.44 million for small trawl vessels. The average gross revenue for catcher/processor hook-and-line vessels was \$2.90 million. The revenue data for other catcher/processors are not reported, due to confidentiality considerations.

This action does not modify recordkeeping or reporting requirements.

The significant alternatives were those considered as alternative harvest strategies when the Council selected its preferred harvest strategy (Alternative 2) in December 2006. These included the following:

- Alternative 1: Set TAC to produce fishing mortality rates,  $F$ , that are equal to  $maxFABC$ , unless the sum of the TAC is constrained by the OY established in the fishery management plans. This is equivalent to setting TAC to produce harvest levels equal to

the maximum permissible ABC, as constrained by OY. The term “ $maxFABC$ ” refers to the maximum permissible value of  $FABC$  under Amendment 56 to the BSAI and Gulf of Alaska groundfish fishery management plans. Historically, the TAC has been set at or below the ABC; therefore, this alternative represents a likely upper limit for setting the TAC within the OY and ABC limits.

- Alternative 3: For species in Tiers 1, 2, and 3, set TAC to produce  $F$  equal to the most recent 5-year average actual  $F$ . For species in Tiers 4, 5, and 6, set TAC equal to the most recent 5-year average actual catch. For stocks with a high level of scientific information, TAC would be set to produce harvest levels equal to the most recent 5-year average actual fishing mortality rates. For stocks with insufficient scientific information, TAC would be set equal to the most recent 5-year average actual catch. This alternative recognizes that for some stocks, catches may fall well below ABC, and recent average  $F$  may provide a better indicator of actual  $F$  than  $FABC$  does.

- Alternative 4: First, set TAC for rockfish species in Tier 3 at  $F75\%$ ; set TAC for rockfish species in Tier 5 at  $F=0.5M$ ; and set spatially explicit TAC for shortraker and rougheye rockfish in the BSAI. Second, taking the rockfish TAC as calculated above, reduce all other TAC by a proportion that does not vary across species, so that the sum of all TAC, including rockfish TAC, is equal to the lower bound of the area OY (1,400,000 mt in the BSAI). This alternative sets conservative and spatially explicit TAC for rockfish species that are long-lived and late to mature, and sets conservative TAC for the other groundfish species.

- Alternative 5: (No Action) Set TAC at zero.

Alternative 2 is the preferred alternative chosen by the Council: Set TAC that fall within the range of ABC recommended through the Council harvest specifications process and TACs recommended by the Council. Under this scenario,  $F$  is set equal to a constant fraction of  $maxFABC$ . The recommended fractions of  $maxFABC$  may vary among species or stocks, based on other considerations unique to each. This is the method for determining TAC that has been used in the past.

Alternatives 1, 3, 4, and 5 do not meet the objectives of this action, and although Alternatives 1 and 3 may have a smaller adverse economic impact on small entities than the preferred alternative, Alternatives 4 and 5 likely would have a significant adverse economic impact on small entities. The Council rejected these alternatives as harvest strategies in 2006, and the Secretary of Commerce did so in 2007.

Alternative 1 would lead to TAC limits whose sum exceeds the fishery OY, which is set out in statute and the FMP. As shown in Table 1 and Table 2, the sum of ABCs in 2018 and 2019 would be 3,779,809 mt and 3,578,956 mt, respectively. Both of these are substantially in excess of the fishery OY for the BSAI. This result would be inconsistent with the objectives of this action, in that it would violate the Consolidated Appropriations Act of 2004, Public Law No. 108-199, Division B, section 803(c), and the FMP, which both set a 2 million mt maximum harvest for BSAI groundfish.

Alternative 3 selects harvest rates based on the most recent 5 years' worth of harvest rates (for species in Tiers 1 through 3) or based on the most recent 5 years' worth of harvests (for species in Tiers 4 through 6). This alternative is also inconsistent with the objectives of this action because it does not take into account the most recent biological information for this fishery. NMFS annually conducts at-sea stock surveys for different

species, as well as statistical modeling, to estimate stock sizes and permissible harvest levels. Actual harvest rates or harvest amounts are a component of these estimates, but in and of themselves may not accurately portray stock sizes and conditions. Harvest rates are listed for each species category for each year in the SAFE report (see **ADDRESSES**).

Alternative 4 would lead to significantly lower harvests of all species to reduce TAC from the upper end of the OY range in the BSAI to its lower end of 1.4 million mt. This result would lead to significant reductions in harvests of species by small entities. While reductions of this size could be associated with offsetting price increases, the size of these increases is uncertain, and, assuming volume decreases would lead to price increases, it is unclear whether price increases would be sufficient to offset the volume decreases and to leave revenues unchanged for small entities. Thus, this action would have an adverse economic impact on small entities, compared to the preferred alternative.

Alternative 5, which sets all harvests equal to zero, may also address conservation issues, but would have a significant adverse economic impact on small entities.

Impacts on marine mammals resulting from fishing activities conducted under this rule are discussed in the EIS (see **ADDRESSES**).

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive the 30-day delay in effectiveness for this rule because delaying this rule is contrary to the public interest. The Plan Team review occurred in November 2017, and the Council considered and recommended the final harvest specifications in December 2017. Accordingly, NMFS' review could not begin until after the December 2017 Council meeting, and after the public had time to comment on the proposed action. If this rule's effectiveness is delayed, fisheries that might otherwise remain open under



these rules may prematurely close based on the lower TACs established in the final 2017 and 2018 harvest specifications (82 FR 11826, February 27, 2017). If implemented immediately, this rule would allow these fisheries to continue fishing because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing.

In addition, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best available scientific information. This is particularly pertinent for those species that have lower 2018 ABCs and TACs than those established in the 2017 and 2018 harvest specifications (82 FR 11826, February 27, 2017). If implemented immediately, this rule would ensure that NMFS can properly manage those fisheries for which this rule sets lower 2018 ABCs and TACs, which are based on the most recent biological information on the condition of stocks, rather than managing species under the higher TACs set in the previous year's harvest specifications.

Certain fisheries, such as those for pollock and Pacific cod, are intensive, fast-paced fisheries. Other fisheries, such as those for flatfish, rockfish, skates, sculpins, sharks, and octopuses, are critical as directed fisheries and as incidental catch in other fisheries. U.S. fishing vessels have demonstrated the capacity to catch the TAC allocations in these fisheries. Any delay in allocating the final TAC limits in these fisheries would cause confusion in the industry and potential economic harm through unnecessary discards, thus undermining the intent of this rule. Predicting which fisheries may close is impossible because these fisheries are affected by several factors that cannot be predicted in advance, including fishing effort, weather, movement of fishery stocks,

and market price. Furthermore, the closure of one fishery has a cascading effect on other fisheries, for example by freeing up fishing vessels, which would allow them to move from closed fisheries to open ones and lead to an increase in the fishing capacity in those open fisheries, causing those open fisheries to close at an accelerated pace.

Additionally, in fisheries subject to declining sideboards, delaying this rule's effectiveness could allow some vessels to inadvertently reach or exceed their new sideboard limits. Because sideboards are intended to protect traditional fisheries in other sectors, allowing one sector to exceed its new sideboards by delaying this rule's effectiveness would effectively reduce the available catch for sectors without sideboard limits. Moreover, the new TAC and sideboard limits protect the fisheries from being overfished. Thus, the delay is contrary to the public interest in protecting traditional fisheries and fish stocks.

If the final harvest specifications are not effective by March 24, 2018, which is the start of the 2018 Pacific halibut season as specified by the IPHC, the hook-and-line sablefish fishery will not begin concurrently with the Pacific halibut IFQ season. Delayed effectiveness of this action would result in confusion for sablefish harvesters and economic harm from unnecessary discard of sablefish that are caught along with Pacific halibut, as both hook-and-line sablefish and Pacific halibut are managed under the same IFQ program. Immediate effectiveness of the final 2018 and 2019 harvest specifications will allow the sablefish IFQ fishery to begin concurrently with the Pacific halibut IFQ season.

Finally, immediate effectiveness also would provide the fishing industry the earliest possible opportunity to plan and conduct its fishing operations with respect to

new information about TAC limits. Therefore, NMFS finds good cause to waive the 30-day delay in effectiveness under 5 U.S.C. 553(d)(3).

### **Small Entity Compliance Guide**

This final rule is a plain language guide to assist small entities in complying with this final rule as required by the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule's primary purpose is to announce the final 2018 and 2019 harvest specifications and prohibited species bycatch allowances for the groundfish fisheries of the BSAI. This action is necessary to establish harvest limits and associated management measures for groundfish during the 2018 and 2019 fishing years and to accomplish the goals and objectives of the FMP. This action directly affects all fishermen who participate in the BSAI fisheries. The specific amounts of OFL, ABC, TAC, and PSC amounts are provided in tables to assist the reader. NMFS will announce closures of directed fishing in the **Federal Register** and information bulletins released by the Alaska Region. Affected fishermen should keep themselves informed of such closures.

**Authority:** 16 U.S.C. 773 *et seq.*; 16 U.S.C. 1540(f); 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 3631 *et seq.*; Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

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